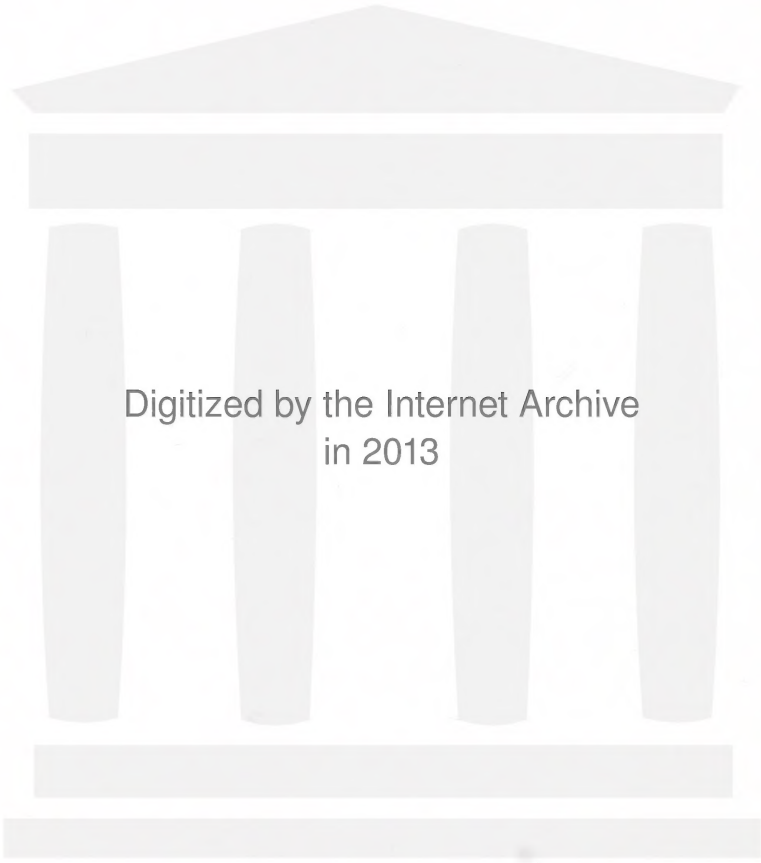

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JOURNAL

OF THE

SENATE

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA

EXTRA SESSION

1996

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Office of the Senate Principal Clerk [G.S. 120–27]

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OF
THE SENATE OF NORTH CAROLINA
1995 GENERAL ASSEMBLY
EXTRA SESSION 1996

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MARC BASNIGHT, President *Pro Tempore* ..... Manteo
R. C. SOLES, JR., Deputy President *Pro Tempore* ..... Tabor City
SYLVIA M. FINK, Principal Clerk ..... Raleigh
LEROY CLARK, JR., Reading Clerk ..... Wendell
CECIL GOINS, Sergeant–at–Arms ..... Raleigh

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	DAN R. SIMPSON	Morganton
28	R L CLARK	Asheville
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29	CLARK PLEXICO	Hendersonville
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31	WILLIAM N. MARTIN	Greensboro
32	THOMAS B. SAWYER, SR.	Greensboro
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34	T. L. ODOM	Charlotte
35	JOHN GERALD BLACKMON	Charlotte
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38	BETSY L. COCHRANE	Advance
39	JAMES FORRESTER	Stanley
40	LESLIE WINNER	Charlotte
41	C. R. EDWARDS	Fayetteville
42	ROBERT C. CARPENTER	Franklin

(See *Appendix* for Senatorial Districts)

OFFICERS AND MEMBERS
OF
THE SENATE OF NORTH CAROLINA
1995 GENERAL ASSEMBLY
EXTRA SESSION 1995

SENATE JOURNAL

EXTRA SESSION

FEBRUARY — 1996

FIRST DAY

SENATE CHAMBER,
Wednesday, February 21, 1996.

In accordance with law, as set forth in the Constitution of the State of North Carolina, and pursuant to the Proclamation issued by the Governor, the Honorable James B. Hunt, Jr., on January 25, 1996, the Senate of the 1995 General Assembly convenes in Extra Session at the hour of 10:00 A.M. in the Senate Chamber in the Legislative Building in the City of Raleigh.

The Honorable Dennis A. Wicker, Lieutenant Governor and President of the Senate, presides and calls the Senate to order.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"As we open this Session in prayer, let us do so by observing a few moments of silence in honor and memory of Senator J. Ollie Harris who died on February 9th. He served this Senate community and our State ably for ten terms. We shall miss him." (The Senate respectfully stands silent after which prayer is offered.)

"O God, help us to be Your faithful followers. We know one thing. We cannot be faithful on our own. Your demands are too great; our ethical and moral resources are too small. Your Kingdom and its values seem far removed at times from the places where we work and make our homes.

"We ask that You give us what we need most in our successes and failures in order to be faithful to You. Give us Your Presence. You standing beside us in all that we do. You going forth from this place with us into the world. Without You, we cannot make it. With You, we can do all things, in Your Name. Amen"

Led by the Lieutenant Governor, members and guests remain standing and pledge allegiance to the United States of America.

The President lays before the Senate the Proclamation issued by Governor James B. Hunt, Jr. on January 25, 1996, as follows:

STATE OF NORTH CAROLINA

JAMES B. HUNT JR.
GOVERNOR

PROCLAMATION

WHEREAS, North Carolina has a thriving economy, with strong job growth and the lowest unemployment rate of the eleven largest states.

WHEREAS, after three successive reductions in the unemployment insurance tax paid by employers, the balance of the North Carolina Unemployment Trust Fund continues to exceed the amount necessary to cover unemployment claims for a two year period during a recession.

WHEREAS, an additional tax cut could be passed without endangering the solvency of the Trust Fund.

WHEREAS, changes in the Employment Security Law could reduce the tax burden for North Carolina employers, saving them $140 million in unemployment insurance taxes in 1996 and helping encourage new investment, economic growth, and more jobs.

WHEREAS, enacting these changes before the end of the first quarter of 1996 instead of the next scheduled session of the General Assembly in May could save employers $50 million.

WHEREAS, I have sought and received the advice of the Council of State that these circumstances constitute an extraordinary occasion within the meaning of Article III, Sec. 5(7) of the Constitution and that immediate action by the General Assembly is required and that the General Assembly should be convened into extra session to address the matter. I have also discussed the circumstances with the Lieutenant Governor, the President *Pro Tempore* of the Senate, and the Speaker of the North Carolina House of Representatives. They are of the same view.

NOW, THEREFORE, I, James B. Hunt, Jr., Governor of the State of North Carolina, pursuant to the authority granted to me by Article III, Sec. 5(7) of the Constitution of North Carolina, find that the circumstances stated above constitute an extraordinary occasion within the meaning of Article III, Sec. 5(7) of the Constitution of North Carolina and PROCLAIM that the General Assembly is hereby convened in an extra session for the purpose of considering legislation to enact changes to the Employment Security Law that would implement a zero tax rate for all employers with a positive unemployment insurance tax rate, allow employers with negative tax rates to qualify for the zero tax rate by pre–paying taxes, and reduce the assigned rate for new employers from 1.8% to 1.2% and let those employers qualify sooner for a lower rate.

The extra session shall begin the 21st of February, 1996 at 10:00 a.m. and shall continue as provided by law and the rules of each House until both Houses shall have adjourned *sine die*.

February 21, 1996

Done in Raleigh, North Carolina, this the 25th day of January, 1996.

S/James B. Hunt Jr.
(Seal) *Governor*

The President orders a call of the roll taken electronically of the members of the Senate heretofore elected to the 1995 General Assembly, and the following answer the call:

Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Sawyer, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—50.

With all members present, having properly received and subscribed to the oath of office, the President announces a quorum present.

ADOPTION OF RULES

The Chair recognizes Senator Rand who submits a Senate simple resolution which is read and disposed of, as follows:

By Senators Rand, Plyler, and Gulley:

S.R. 1, a Senate simple resolution adopting the Permanent Rules of the Senate for the Extra Session, February 1996, of the General Assembly.

On motion of Senator Rand, the Senate simple resolution is placed before the Senate for immediate consideration, upon adoption, as follows:

S.R. 1, A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE EXTRA SESSION, FEBRUARY 1996, OF THE GENERAL ASSEMBLY.

Be it resolved by the Senate:

Section 1. The permanent rules of the 1995 Regular Session, with the following amendments, are the rules governing the Extra Session, February 1996, of the General Assembly:

Rule 40. Introduction of bills.

Every bill introduced shall contain on the outside cover the title of the document and name of the Senator or Senators presenting it. Bills shall be delivered by the primary sponsor of the document to the Senate Principal Clerk who shall receive, number, and present said bill to the Senate for first reading.

Rule 40.1. Limitation on resolutions and bills.

The only resolutions that may be introduced or considered in the Senate are resolutions adjourning the Extra Session *sine die*. All bills shall be excluded from introduction or consideration in the Senate, other than those requested by the Governor's Proclamation dated January 25, 1996, convening the Extra Session: to enact changes to the Employment Security Law that would implement a zero tax rate for all employers with a positive unemployment insurance tax rate, allow employers with negative tax rates to qualify for the zero tax rate by prepaying

taxes, and reduce the assigned rate for new employers from one and eight-tenths percent (1.8%) to one and two-tenths percent (1.2%) and let those employers qualify sooner for a lower rate. Such bill may also include provisions authorizing the Legislative Research Commission to study issues relating to the State's Employment Security Law, Chapter 96 of the General Statutes.

Rule 41. (Reserved)

Rule 43. First reading; reference to committee.

All bills introduced and all House bills received upon a message from the House of Representatives, upon presentation to the Senate, shall be read in the regular order of business by their number and title which shall constitute the first reading of the bill. The Chairman of the Rules and Operation of the Senate Committee or, in his absence, the Vice-Chairman of the Committee shall refer to a Senate committee all bills introduced in the Senate. Upon the referral being made, the Chairman of the Committee on Rules and Operation of the Senate shall notify the Principal Clerk of the Senate of the referral, and the Reading Clerk shall announce the referral of the bill. The Principal Clerk shall inform the Presiding Officer of the referral. The title and referral shall be entered upon the Journal.

Rule 43.1. Second reading.

All bills reported by committee shall be placed before the Senate for second reading and immediate consideration upon passage.

Rule 50. Third reading requirements.

When a bill or resolution has passed its second reading, it shall be placed on the calendar for immediate consideration on its third reading, unless prohibited by Article II, Section 23 of the Constitution.

Rule 56.1. Amendments and committees substitutes adopted by the House to bills originating in the Senate.

(a) Whenever the House has adopted an amendment or a committee substitute for a bill originating in the Senate, and has returned the bill to the Senate for concurrence in that amendment or committee substitute, the Senate may concur in that amendment or committee substitute on the same legislative day.

Rule 59. (Reserved).

Sec. 2. This resolution is effective upon adoption. (*See Appendix*)

On motion of Senator Rand, the Senate simple resolution is adopted (50-0) as the Permanent Rules governing this Extra Session of the 1995 General Assembly.

APPOINTMENT OF COMMITTEES

Senator Basnight, President *Pro Tempore*, announces that all Standing Committees of the Senate heretofore appointed during the 1995 Regular Session, including Chairmen, Vice-Chairmen, Ranking Minority Members, and all Members are hereby appointed to serve during this Extra Session.

The President orders a special message sent to the House of Representatives informing that Honorable Body that the Senate is organized and ready to proceed with the public business of this Extra Session of the 1995 General Assembly as stated in the Proclamation issued by the Governor.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

House of Representatives
February 21, 1996

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives, pursuant to the Proclamation issued by the Governor, is organized and stands ready to proceed with the public business of the 1996 Extra Session.

Respectfully,
S/Denise Weeks
Principal Clerk

MESSAGE FROM THE LEGISLATIVE SERVICES COMMISSION

Pursuant to G.S. 120-32(5), a message is received from the Legislative Services Officer, George Hall, as follows:

"This is to advise that Beth Barnes will serve as Enrolling Clerk for the Extra Session."

INTRODUCTION OF BILLS, PETITIONS AND RESOLUTIONS

A bill is presented to the Senate, read the first time, and disposed of, as follows:

By Senators Kerr, Sherron, Albertson, Allran, Ballance, Basnight, Blackmon, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Sawyer, Shaw, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner:

S.B. 2, a bill to implement a zero unemployment insurance tax rate for 1996 for all employers with a positive experience rating, allow employers with a negative rating to qualify for the zero rate by prepaying taxes, reduce the rate for new employers from one and eight-tenths percent to one and two-tenths percent, allow new employers to qualify sooner for reduced rates, and authorize a Legislative Research Commission study.

Referred to **Finance Committee**.

The Chair recognizes Senator Kerr who announces a meeting of the **Finance Committee** upon recess.

Upon motion of Senator Basnight, the Senate recesses at 10:15 A.M. for the purpose of a **Finance Committee** meeting to reconvene at 10:20 A.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

EXECUTIVE ORDERS

The following Executive Orders received after adjournment on July 29, 1995, of the First Regular Session of the 1995 General Assembly (*see Appendix*) are presented in writing to the Senate and ordered, with unanimous consent, placed on file in the Office of the Principal Clerk:

Executive Order Number 83, Amending the Commission on Substance Abuse Treatment and Prevention.

(Rescinds Executive Order Number 46)

Executive Order Number 84, North Carolina Home Furnishings Export Council.

Executive Order Number 85, Escorts for Foreign Research Reactor Spent Nuclear Fuel.

Executive Order Number 86, North Carolina State Postsecondary Eligibility Review Commission.

(Rescinds Executive Order Number 72)

Executive Order Number 87, Extending Executive Orders 26, 27, 28, 29, 30, and 34 for Two Years.

26 Board of Trustees of the N.C. Public Employee Deferred Compensation Plan;
27 Governor's Commission for Recognition for State Employees;
28 Agriculture, Forestry, and Seafood Industry Advisory Committee;
29 Teacher Advisory Committee;
30 Highway Beautification Council;
34 Highway Safety Commission.

Executive Order Number 88, Amending Statewide Flexible Benefits Program.

(Amends Executive Order Number 66; see H 898 [Sec. 2.1(13)c])

Executive Order Number 89, Directing State Purchasing Agents to Meet with Representatives of the Blind and Severely Disabled.

Executive Order Number 90, Establishment of Workforce Development Boards.

Executive Order Number 91, Persian Gulf War Memorial Commission.

(Rescinds Executive Order Numbers 33 and 82)

Executive Order Number 92, Council for Young Adult Drivers.

Executive Order Number 93, North Carolina/Eastern Band of Cherokee Indians Development Task Force.

REPORTS TO GENERAL ASSEMBLY

The following reports received after adjournment on July 29, 1995, of the First Regular Session of the 1995 General Assembly from boards, commissions, and agencies directed to report to the General Assembly (*see Addendum*) are presented to the Senate and ordered, with unanimous consent, placed on file in the Legislative Library:

Pursuant to G.S. 130A–309.14, the North Carolina Department of Environment, Health, and Natural Resources submits the "Solid Waste Management Fourth Annual Report July 1, 1993–June 30, 1994."

Pursuant to G.S. 143B–39(14) and (15) and Chapter 769, Sec. 10.1 of the 1993 Session Laws, the Office of the State Controller submits the "North Carolina Information Highway Report."

Pursuant to G.S. 143B-152.10, the North Carolina Department of Human Resources submits the "Family Resource Centers Annual Report 1994-1995."

Pursuant to G.S. 90-210.70(d) the North Carolina Board of Mortuary Science submits the "Annual Report - Record of Complaints, Auditing and Enforcement."

Pursuant to Chapter 316 of the 1995 Session Laws, the Administrative Office of the Courts submits the Report on Equitable Distribution Cases.

Pursuant to Chapter 507, Sec. 26.9(l) of the 1995 Session Laws, the Heart Disease and Stroke Prevention Task Force submits its Preliminary Report.

Pursuant to Chapter 507, Sec. 23.11A of the 1995 Session Laws, the North Carolina Department of Human Resources submits the "Domiciliary Care Report for the Second Quarter of SFY 1995-96."

Pursuant to G.S. 147-68, the Department of State Treasurer submits the "Annual Report Fiscal Year 1994-1995."

RESOLUTION FROM ANOTHER STATE

The following resolution received October 10, 1995, from another Legislative Body is presented to the Senate and ordered filed in the Office of the Principal Clerk with the papers of the Senate:

California Senate Joint Resolution No. 2, memorializing the Congress of the United States to enact an amendment to the Clean Air Act that will eliminate the provisions mandating an employer trip reduction program in extreme and severe nonattainment areas and, instead, allow states to pursue practical and cost-effective alternatives toward solving their air quality problems. (*See Appendix*)

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Sherron for the **Finance Committee**:

S.B. 2, a bill to implement a zero unemployment insurance tax rate for 1996 for all employers with a positive experience rating, allow employers with a negative rating to qualify for the zero rate by prepaying taxes, reduce the rate for new employers from one and eight-tenths percent to one and two-tenths percent, allow new employers to qualify sooner for reduced rates, and authorize a Legislative Research Commission study, with a favorable report.

Pursuant to Rule 43.1, the Chair orders the bill placed before the Senate for immediate consideration upon its passage.

The bill passes its second (50-0) and third readings and is ordered sent to the House of Representatives.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A special message is received from the House of Representatives transmitting a joint resolution which is read the first time and disposed of, as follows:

H.J.R. 3, a joint resolution providing for adjournment *sine die* of the 1996 Extra Session.

On motion of Senator Rand, the rules are suspended with unanimous consent, and the joint resolution is placed before the Senate for immediate consideration upon its passage.

The joint resolution passes its second (49–0) and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bill and resolution properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

S.B. 2, an act to implement a zero unemployment insurance tax rate for 1996 for all employers with a positive experience rating, allow employers with a negative rating to qualify for the zero rate by prepaying taxes, reduce the rate for new employers from one and eight–tenths percent to one and two–tenths percent, allow new employers to qualify sooner for reduced rates, and authorize a Legislative Research Commission study. (Ch. 1) (*See Appendix*)

H.J.R. 3, a joint resolution providing for adjournment *sine die* of the 1996 Extra Session. (Res. 1)

Having completed all business, the President orders a message sent to the House of Representatives informing that Honorable Body that the Senate has concluded the business for which it is convened by the Proclamation of the Governor and stands ready to adjourn this Extra Session of the 1995 General Assembly *sine die*.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.J.R. 3

House of Representatives
February 21, 1996

Mr. President:

It is ordered that a message be sent your Honorable Body respectfully advising that in accordance with H.J.R. 3, "A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT *SINE DIE* OF THE 1996 EXTRA SESSION, the 1995 House of Representatives has concluded the public business before it and stands ready to adjourn.

Upon receipt of a message from your Honorable Body that the Senate is ready to open its doors, the doors of the House shall be open to the end that the gavels may fall simultaneously and adjournment may be declared *sine die*.

Respectfully,
S/Denise G. Weeks
Principal Clerk

Senator Basnight, seconded by Senator Smith, offers a motion that the Senate of the 1995 General Assembly, meeting in Extra Session under the call of the Governor, do now adjourn, *sine die*.

Pursuant to the message that the House of Representatives has concluded the business before it and having notified that Honorable Body that the Senate has concluded the business before it, the President of the Senate declares the Senate stands ready for adjournment, *sine die*. The President orders the doors of the Senate thrown open. The Speaker of the House of Representatives is perceived standing ready to let the gavel fall.

The motion heretofore offered by Senator Basnight, seconded by Senator Smith, prevails. The hour for adjournment *sine die* as fixed by Resolution 1 having arrived, the President of the Senate, Lieutenant Governor Dennis A. Wicker, declares the Senate of the 1995 General Assembly sitting in Extra Session adjourned at 12:19 P.M., *sine die*.

DENNIS A. WICKER
President of the Senate

SYLVIA MORRIS FINK
Principal Clerk of the Senate

ADDENDUM

It will be noted that numerical figures appear within parentheses throughout the Senate Journal. These figures represent the affirmative and negative votes cast and recorded electronically, pursuant to Senate Rule 25. Copies of the voting print–out are on file in the Legislative Library and the original is deposited in the Division of Archives and History of the Department of Cultural Resources.

Sylvia Fink
Principal Clerk

GENERAL ASSEMBLY REPORTS

A complete listing of reports received from Boards, Commissions and Agencies directed to report to the 1995 General Assembly through adjournment *sine die* will appear in the *Senate Journal, Second Session 1996*. An itemized listing of those reports received during the 1996 Extra Session appear in the alphabetical index under **Reports** (Submitted to General Assembly).

APPENDIX

NORTH CAROLINA GENERAL ASSEMBLY SENATORIAL DISTRICTS

(G.S. 120–1)

For a full listing of the Senatorial Districts, see page 423 of the *Senate Journal, Second Session 1996.*

SENATE RESOLUTIONS

EXTRA SESSION 1996

Adopted February 21, 1996 (See page 7)

S.R. 1, A SENATE SIMPLE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE EXTRA SESSION, FEBRUARY 1996, OF THE GENERAL ASSEMBLY.

RATIFIED BILL

Ratified February 21, 1996 (See page 12)

CHAPTER 1
SENATE BILL 2

AN ACT TO IMPLEMENT A ZERO UNEMPLOYMENT INSURANCE TAX RATE FOR 1996 FOR ALL EMPLOYERS WITH A POSITIVE EXPERIENCE RATING, ALLOW EMPLOYERS WITH A NEGATIVE RATING TO QUALIFY FOR THE ZERO RATE BY PREPAYING TAXES, REDUCE THE RATE FOR NEW EMPLOYERS FROM ONE AND EIGHT-TENTHS PERCENT TO ONE AND TWO-TENTHS PERCENT, ALLOW NEW EMPLOYERS TO QUALIFY SOONER FOR REDUCED RATES, AND AUTHORIZE A LEGISLATIVE RESEARCH COMMISSION STUDY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 96-9(b)(1) reads as rewritten:

"(1) Beginning Rate. — The standard beginning rate of contributions for an employer is a percentage of wages paid by the employer during a calendar year for employment occurring during that year. The rate is determined in accordance with the following table:

Percentage	Date After Which Employment Occurs
2.25%	December 31, 1986
1.8	December 31, ~~1993.~~ 1993
1.2	December 31, 1995"

Sec. 2. G.S. 96-9(b)(2) reads as rewritten:

"(2) Experience Rating. —

a. Waiting Period for Rate Reduction. — No employer's contribution rate shall be reduced below the standard rate for any calendar year ~~unless and until his~~ until its account has been chargeable with benefits ~~throughout more than 13 consecutive~~ for at least 12 calendar months ending July 31 immediately preceding the computation ~~date and his credit reserve ratio meets the requirements of that schedule used in the computation.~~ date.

b. Credit Ratio. — The Commission shall, for each year, compute a credit reserve ratio for each employer whose account has a credit ~~balance and has been chargeable with benefits as set forth in G.S. 96-9(b)(2)a of this Chapter.~~ balance. An employer's credit reserve ratio shall be the quotient obtained by dividing the credit balance of ~~such~~ the employer's account as of July 31 of each year by the total taxable payroll of ~~such~~ the employer for the 36 calendar-month period ending June 30 preceding the computation date. Credit balance as used in this section means the total of all contributions paid and credited for all past periods in accordance with the provisions of G.S. 96-9(c)(1) together with all other lawful credits to the account of the employer less the total benefits charged to the account of the employer for all past periods.

c. Debit Ratio. — The Commission shall for each year compute a debit ratio for each employer whose account shows that the total of all ~~his~~ its contributions paid and credited for all past periods in accordance with ~~the provisions of~~ G.S. 96-9(c)(1) together with all other lawful credits is less than the total benefits charged to ~~his~~ its account for all past periods. An employer's debit ratio shall be the quotient obtained by dividing the debit balance of ~~such~~ the employer's account as of July 31 of each year by the total taxable payroll of ~~such~~ the employer for the 36 calendar-month period ending June 30 preceding the computation date. The amount arrived at by subtracting the total amount of all contributions paid and credited for all past periods in accordance with the provisions of G.S. 96-9(c)(1) together with all other lawful credits of the employer from the total amount of all benefits charged to the account of the employer for such periods is the employer's debit balance.

d. Other Provisions. — For purposes of this subsection, the first date on which an account shall be chargeable with benefits shall be the first date with respect to which a benefit year ~~(as~~ as defined in G.S. ~~96-8(17)[)]~~ 96-8 can be established, based in whole or in part on wages paid by that employer.

No employer's contribution rate shall be reduced below the standard rate for any calendar year unless ~~his~~ its liability extends over a period of all or part of ~~three~~ two consecutive calendar years and, as of August 1 of the ~~third~~ second year, ~~his~~ its credit reserve ratio meets the requirements of that schedule used in computing rates for the following calendar year, unless the employer's liability was

established under G.S. 96-8(5)b and ~~his~~ its predecessor's account was transferred as provided by G.S. 96-9(c)(4)a.

Whenever contributions are erroneously paid into one account which should have been paid into another account or which should have been paid into a new account, that erroneous payment can be adjusted only by refunding the erroneously paid amounts to the paying entity. No *pro rata* adjustment to an existing account may be made, nor can a new account be created by transferring any portion of the erroneously paid amount, notwithstanding that the entities involved may be owned, operated, or controlled by the same person or organization. No adjustment of a contribution rate can be made reducing ~~said~~ the rate below the standard rate for any period in which the account was not in actual existence and in which it was not actually chargeable for benefits. Whenever payments are found to have been made to the wrong account, refunds can be made to the entity making the wrongful payment for a period not exceeding five years from the last day of the calendar year in which it is determined that wrongful payments were made. Notwithstanding payment into the wrong account, ~~any~~ if an entity ~~which~~ is determined to have met the requirements to be a covered employer, whether or not the entity has had paid on the account of its employees any sum into another account, the Commission shall collect contributions at the standard rate or the assigned rate, whichever is higher, for the five years preceding the determination of erroneous payments, ~~said~~ which five years ~~to~~ shall run from the last day of the calendar year in which the determination of liability for contributions or additional contributions is made. This ~~paragraph shall apply to all cases arising hereunder, the question of good faith notwithstanding.~~ requirement applies regardless of whether the employer acted in good faith."

Sec. 3. (a) G. S. 96-9(b)(3)g. reads as rewritten:

"g. Any employer may at any time make a voluntary contribution, additional to the contributions required under this Chapter, to the fund to be credited to ~~his~~ its account, and such voluntary contributions when made shall for all intents and purposes be deemed 'contributions required' as ~~said~~ this term is used in G.S. 96-8(8). Any voluntary contributions so made by an employer within 30 days after the date of mailing by the Commission pursuant to G.S. 96-9(c)(3) ~~herein,~~ of notification of contribution rate contained in cumulative account statement and computation of rate, shall be credited to ~~his~~ its account as of the previous July 31. ~~Provided, however, any voluntary contribution made as provided herein~~ If, however, the voluntary contribution is made after July 31 of any year it shall not be considered a part of the balance of the unemployment insurance fund for the purposes of G.S. 96-9(b)(3) until the following July 31. The Commission in accepting a voluntary contribution shall not be bound by any condition stipulated in or made a part of ~~such~~ the voluntary contribution by any employer.

An employer that has a debit ratio under G.S. 96-9(b)(2)c. as of January 1, 1996, may make an additional contribution pursuant to this subdivision during the 1996 calendar year. If this voluntary contribution is made within 30 days after the Commission furnishes

the employer an account status notice, this voluntary contribution shall be credited to the employer's account as of July 31, 1995."

(b) Effective January 1, 1997, the last paragraph of G.S. 96-9(b)(3)g., as added by subsection (a) of this section, is repealed.

Sec. 4. G.S. 96-9(b)(3) is amended by adding a new subdivision to read:

"d4. The standard beginning contribution rate set by subdivision (1) of this subsection applies to an employer unless the employer's account has a credit balance or a debit balance. Notwithstanding the provisions of subdivision (3)d3. of this subsection, beginning January 1, 1996, and for the calendar year 1996 only, the contribution rate of an employer whose account has a credit balance is determined in accordance with the rate set in the following Experience Rating Formula table for the applicable rate schedule.

EXPERIENCE RATING FORMULA

When The Credit Ratio Is:		Rate Schedules (%)								
As Much As	But Less Than	A	B	C	D	E	F	G	H	I
0.0%	0.2%	2.70	2.70	2.70	0.00	0.00	0.00	0.00	0.00	0.00
0.2%	0.4%	2.70	2.70	2.70	0.00	0.00	0.00	0.00	0.00	0.00
0.4%	0.6%	2.70	2.70	2.50	0.00	0.00	0.00	0.00	0.00	0.00
0.6%	0.8%	2.70	2.50	2.30	0.00	0.00	0.00	0.00	0.00	0.00
0.8%	1.0%	2.50	2.30	2.10	0.00	0.00	0.00	0.00	0.00	0.00
1.0%	1.2%	2.30	2.10	1.90	0.00	0.00	0.00	0.00	0.00	0.00
1.2%	1.4%	2.10	1.90	1.70	0.00	0.00	0.00	0.00	0.00	0.00
1.4%	1.6%	1.90	1.70	1.50	0.00	0.00	0.00	0.00	0.00	0.00
1.6%	1.8%	1.70	1.50	1.30	0.00	0.00	0.00	0.00	0.00	0.00
1.8%	2.0%	1.50	1.30	1.10	0.00	0.00	0.00	0.00	0.00	0.00
2.0%	2.2%	1.30	1.10	0.90	0.00	0.00	0.00	0.00	0.00	0.00
2.2%	2.4%	1.10	0.90	0.80	0.00	0.00	0.00	0.00	0.00	0.00
2.4%	2.6%	0.90	0.80	0.70	0.00	0.00	0.00	0.00	0.00	0.00
2.6%	2.8%	0.80	0.70	0.60	0.00	0.00	0.00	0.00	0.00	0.00
2.8%	3.0%	0.70	0.60	0.50	0.00	0.00	0.00	0.00	0.00	0.00
3.0%	3.2%	0.60	0.50	0.40	0.00	0.00	0.00	0.00	0.00	0.00
3.2%	3.4%	0.50	0.40	0.30	0.00	0.00	0.00	0.00	0.00	0.00
3.4%	3.6%	0.40	0.30	0.20	0.00	0.00	0.00	0.00	0.00	0.00
3.6%	3.8%	0.30	0.20	0.15	0.00	0.00	0.00	0.00	0.00	0.00
3.8%	4.0%	0.20	0.15	0.10	0.00	0.00	0.00	0.00	0.00	0.00
4.0%	4.2%	0.15	0.10	0.09	0.00	0.00	0.00	0.00	0.00	0.00
4.2%	4.4%	0.10	0.09	0.08	0.00	0.00	0.00	0.00	0.00	0.00
4.4%	4.6%	0.09	0.08	0.07	0.00	0.00	0.00	0.00	0.00	0.00
4.6%	4.8%	0.08	0.07	0.06	0.00	0.00	0.00	0.00	0.00	0.00
4.8%	5.0%	0.07	0.06	0.05	0.00	0.00	0.00	0.00	0.00	0.00
5.0%	OVER	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00"

Sec. 5. (a) The Legislative Research Commission is authorized to study issues relating to the State's Employment Security Law, Chapter 96 of the General Statutes. The Legislative Research Commission is encouraged to appoint at least

one member of the minority political party in each house to participate in the study.

(b) The Commission may make an interim report of its recommendations regarding the Employment Security Law to the 1996 Regular Session of the 1995 General Assembly and shall make a final report to the 1997 General Assembly.

Sec. 6. Section 4 of this act is effective with respect to calendar quarters beginning on or after January 1, 1996, and before January 1, 1997. Section 3(b) of this act becomes effective January 1, 1997. The remainder of this act is effective upon ratification.

In the General Assembly read three times and ratified this the 21st day of February, 1996.

EXECUTIVE ORDERS of the GOVERNOR OF THE STATE OF NORTH CAROLINA

Executive Orders received by the Senate Principal Clerk following adjournment of the 1995 General Assembly on July 29, 1995 through adjournment, *sine die*, of the 1996 Extra Session of the 1995 General Assembly on February 21, 1996, as issued by the Office of the Governor of the State of North Carolina in compliance with G.S. 147-16.1, are summarized below.

The full text of Executive Orders 83 through 93 issued by Governor James B. Hunt, Jr., can be found in the *Session Laws of the 1995 General Assembly, Second Session 1996*.

Executive Order	Title	Date of Issuance

83 Amending the Commission on Substance Abuse Treatment and Prevention August 3, 1995

Establishes: Governor appoints 20-member Commission to serve at his pleasure. **Term:** staggered four-year. Governor designates Chairman. **Establishes:** Office of Substance Abuse Policy. Commission and Office housed in Department of Administration; oversight—Governor's Policy Office. **Duties:** Review/recommend changes in existing substance abuse laws in coordination of state/local resources; encourage cooperation in public/private sector; conduct public hearings; increase public awareness of substance abuse problems; assist local boards, councils, or commissions to identify intervention/ treatment needs. **Staff:** Office hires staff. **Expenses:** travel/subsistence. **Funding:** Governor's discretionary funds and drug/alcohol agencies. **Reports:** Semi-annual; agencies subject to Executive Budget Act shall report to the Office and the Office of State Budget and Management. The Commission and Office shall report to Governor. **Rescinds:** Executive Order Number 46. **Effective:** immediately.

84 North Carolina Home Furnishings Export Council August 24, 1995

Establishes: Council limited to 30 voting members who serve at pleasure of Governor from home furnishing export industry. Governor and Secretary of Commerce serve ex officio. Governor appoints Chair. **Duties:** Liaison between manufacturers and State Export Office; advise Division of International Trade of Department of Commerce; and explore increased home furnishing exportation. Department of Commerce provides administrative and financial support. **Expenses:** travel/subsistence.

85 Escorts for Foreign Research Reactor Spent Nuclear Fuel September 12, 1995

Directs: State Highway Patrol Commander assigns personnel to escort through State shipments of Foreign Research Reactor Spent Nuclear Fuel from Sunny Point Army Terminal to Savannah River federal facility in South Carolina. Other State employees assigned as necessary. **Effective:** immediately; expires in ninety days unless terminated or extended by further Executive Order. (See Executive Order Number 62)

86 North Carolina State Postsecondary Eligibility Review Commission September 12, 1995

Commission held final meeting and adopted dissolution resolution due to federal funding elimination. **Rescinds:** Executive Order Number 72. **Effective:** immediately.

87 Extending Executive Orders 26, 27, 28, 29, 30, and 34 for Two Years October 27, 1995

26 Board of Trustees of the N.C. Public Employee Deferred Compensation Plan;
27 Governor's Commission for Recognition for State Employees;
28 Agriculture, Forestry, and Seafood Industry Advisory Committee;
29 Teacher Advisory Committee;
30 Highway Beautification Council;
34 Highway Safety Commission.

88 Amending Statewide Flexible Benefits Program October 27, 1995

Increases membership to 14—adds representative from the Departments of Environment, Health, and Natural Resources, Human Resources, Transportation, Correction, and two private sector representatives; removes General Assembly representative. **Amends:** Executive Order 66, issued December 5, 1994, changing Employee Flexible Benefits Program (EFBP) to Statewide Employee Flexible Benefits Program (SEFBP); adds Manager as **voting** *ex officio* member.

89 Directing State Purchasing Agents to Meet with Representatives of the Blind and Severely Disabled October 31, 1995

Directs: Department of Administration to compile/maintain list of nonprofit work centers for blind and severely disabled (G.S. 143-48(b)[1b]) and disseminate to purchasing agents subject to this Order and G.S. 143-48.2. Apprise work centers of opportunities available. **Effective:** immediately.

90 Establishment of Workforce Development Boards December 5, 1995

Establishes: Workforce Development Boards from Private Industry Councils established under Federal Job Training Partnership Act, to serve as governance boards for centers established under North Carolina's One Stop Career Center system. Boards shall be linked for planning and policy development to appropriate regions of North Carolina Partnership for Economic Development; interim step pending Federal workforce development "block grant" legislation. **Membership:** Outlined in Section 102 of Federal Job Training Partnership Act. **Duties:** Plan/oversee delivery of programs; advise local level of policy and programs; contact for public entities to communicate needs; develop linkages to promote cooperation; develop local plan with community partners; respond to goals, objectives, and standards set by Governor; collaborate with local JobReady Councils and others to develop school-to-work plans; review/approve local plans to State JobReady Partnership Council; develop industry/sector analysis to set training priorities; and evaluate performance of centers, programs, and activities. Planning/oversight as follows: Job Training Partnership Act programs, Employment Service, The Work First (JOBS) training/placement programs, Food Stamp Employment and Training Program, Older Americans Act Job Training and Employment Program, Vocational Rehabilitation programs, and JobReady school to work programs. **Funding:** Current Federal Job Training Partnership Act. **Effective:** immediately and until superseded by subsequent federal or state legislation or Executive Order.

91 Persian Gulf War Memorial Commission December 13, 1995
Establishes: Commission appointed by Governor, as follows: two recommended by Speaker, House of Representatives; two recommended by President *Pro Tempore*, Senate; five including representative of Desert Storm Memorial Foundation; and one non-voting *ex-officio* member representing Department of Cultural Resources, Division of Veterans Affairs of the Department of Administration, and State Capitol Planning Commission. Chair appointed from membership which serves for life of Commission. **Purpose:** propose site selection, design, funding, and construction of Persian Gulf War Memorial; study concept of State veterans park and recommend plans for design, location, and funding. **Report:** Final by March 15, 1996. **Rescinds:** Executive Order No. 33 (Persian Gulf War Commission) dated November 10, 1993, and Executive Order No. 82 dated July 27, 1995 with files and records transferred to this successor Commission. **Effective:** immediately.

92 Council for Young Adult Drivers December 13, 1995
Establishes: Council limited to twenty-five students and young adults appointed by Governor and up to six elected by regional councils to be advisory committee to Governor's Highway Safety Commission. Governor appoints Chair/Vice Chair. Six regional councils of students from school districts. **Duties:** Shall Research/evaluate and establish guidelines, direction, and curricula to promote young asdult safe driving. **Report**: Annually. Upon approval, programs and recommendations shall become the official State of North Carolina Young Adult Traffic Safety Plan. **Funding:** Governor's Highway Safety Program. Staff Director: Youth Traffic Safety Coordinator. **Effective:** immediately.

93 North Carolina/Eastern Band of Cherokee Indians Development Task Force December 21, 1995
Establishes: Twenty-eight member Task Force; twelve appointed by Governor; twelve appointed by Principal Chief, Eastern Band of Cherokee Indians; and *ex-officio*, non-voting members (or designee): Regional Supervisor, U.S. Forest Service; Superintendent, Blue Ridge Parkway; Superintendent, Great Smoky Mountains National Park; and Chairman of the Board, Tennessee Valley Authority. Governor/Principal Chief each appoint co-chairs who preside jointly. **Term:** two years. **Duties:** Develop an economic strategy; promote cooperation between Eastern Band, general public, State, Federal, and local governments; provide forum for major business installation; and advise Governor/Principal Chief of Eastern Band economic development activities.

RESOLUTIONS FROM OTHER STATES

The following resolution is received from another legislative body:

February 21, 1996 (See page 11)
(Received October 10, 1995)

SENATE
CALIFORNIA LEGISLATURE

RICK ROLLENS
SECRETARY OF THE SENATE

October 4, 1995

The New Carolina State Legislature
State Legislative Building
Raleigh, NC 27601-1096

Dear Members:

By direction of the Senate I am transmitting herewith a copy of Senate Joint Resolution No. 2 which was adopted by the California Legislature.

Sincerely,
S/RICK ROLLENS
Secretary of the Senate

Senate Joint Resolution No. 2

Adopted in Senate July 29, 1995

_____
Secretary of the Senate

Adopted in Assembly July 29, 1995

_____
Chief Clerk of the Assembly

This resolution was received by the Secretary of State this___ day of _____, 1995, at ___ o'clock __ M.

_____
Deputy Secretary of State

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RESOLUTION CHAPTER _____

Senate Joint Resolution No. 2 — Relative to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SJR 2, Russell. Air pollution: employer trip reduction plans.

Existing federal law, the Clean Air Act, requires states in which an area with severe or extreme air pollution is located to submit to the Environmental

Protection Agency a state implementation plan revision requiring employers in those areas to implement programs to reduce work-related vehicle trips and miles traveled by employees, as specified.

This measure would memorialize the Congress to amend the Clean Air Act to eliminate the provisions mandating an employer trip reduction program in those areas, and instead, allow states to pursue practical, cost-effective alternatives to solving their air quality problems.

WHEREAS, Through the Clean Air Act and its amendments (42 U.S.C. Sec. 7401 et seq.), the federal government has undertaken the laudable task of ridding the air we breathe of pollution; and

WHEREAS, A balance must be struck between any steps taken to reduce air pollution and the adverse impact those steps may have upon the economy, the business climate, and the cost and size of government; and

WHEREAS, Under the Clean Air Act Amendments of 1990 (P.L. 101-549), those states with areas that are classified as severe or extreme nonattainment areas are forced to adopt employee commute option and trip reduction laws; and

WHEREAS, Pursuant to the Clean Air Act, programs are being conducted by California air districts to clean the state's air through the imposition of onerous, burdensome, and costly regulations that require

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employers of companies having 100 or more employees to establish trip reduction plans; and

WHEREAS, An example of the ineffectiveness and excessive cost of employer trip reduction plan regulations can be shown by the resultant failures of the South Coast Air Quality Management District's employer trip reduction plan requirement, Rule 1501, previously known as Regulation 15; and

WHEREAS, Since its implementation in 1988, Rule 1501 has contributed negligible benefits towards reducing or eliminating smog within the Los Angeles basin, while at the same time, this rule's compliance cost upon employers is estimated at anywhere between $136 million and $197 million annually, or roughly, $3,000 for every car not driven to work, for a total of approximately $1 billion that Los Angeles basin employers have been forced to spend to comply with this rule; and

WHEREAS, The South Coast Air Quality Management District Governing Board realizes that Rule 1501 is ineffective, expensive, and has fallen far short of the average vehicle ridership goals sought by the district pursuant to the Clean Air Act; and

WHEREAS, It is obvious that the costs and effects of mandated employer trip reduction plans, such as Rule 1501, can be devastating to companies trying to remain economically competitive, and these policies do not justify the economic and social hardships that will occur in nonattainment areas if employer trip reduction mandates continue as part of the Clean Air Act; and

WHEREAS, Despite the fact that other avenues may be available to pursue the goals of the Clean Air Act without having to resort to mandated employer trip reduction plans, these alternatives cannot be legally pursued by states in lieu of existing employer trip reduction plan mandates unless Congress amends the Clean Air Act to reflect this intent; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact an amendment to the Clean Air

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Act that will eliminate the provisions mandating an employer trip reduction program in extreme and severe nonattainment areas and, instead, allow states to

pursue practical and cost–effective alternatives towards solving their air quality problems; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, and to the Legislature of each of the other states.

Attest:

Secretary of State

STANDING COMMITTEES

The chairmen, vice–chairmen, ranking minority members, and members as appointed to the standing committees for the First Regular Session of the 1995 General Assembly were announced as appointed to the standing committees for the 1996 Extra Session. For a complete listing, see page 1563 of the *Senate Journal, First Session 1995*.

SENATE STAFF

OFFICE OF THE PRESIDENT

Lieutenant Governor	Dennis A. Wicker
Chief of Staff	Kaye Gattis
Director of Communications	Robert D. Phillips
Special Assistants	
Boards and Commissions	Shirley Fowler
Constituent Affairs	Maggie Pollock
Legislative and Policy Advisor	Davis Bradshaw
Administrative Assistants	Greta L. Rogers Kathryn Wilson
Executive Secretary	Camille Vaughan
Scheduler	Rhonda Currier

OFFICE OF THE PRESIDENT *PRO TEMPORE*

President *Pro Tempore*	Marc Basnight
General Counsel/Liaison	Norma Ware
Communications Director	Bret Kinsella
Executive Assistant	Angela Talton
Special Assistant for Citizen Affairs	Andrea Gardner
Administrative Assistant	Anita Stephenson
Receptionist	Sandy Tingle

OFFICE OF THE DEPUTY PRESIDENT *PRO TEMPORE*

Deputy President *Pro Tempore*	R. C. Soles, Jr.
Administrative Assistant	Janet Puryear

OFFICE OF THE PRINCIPAL CLERK

Principal Clerk	Sylvia Morris Fink
Administrative Clerks	June Simpkins Bennett Mona R. Fitzgerald
Calendar Clerk	Linda Stephenson
Assistant Calendar Clerk	Doris H. Gilbert
Journal Clerk	Lisa L. Thompson
Assistant Journal Clerks	Beverly H. Allen Betty Morris Bridger Bryan Pruitt Brian F. Williams

READING CLERK LeRoy Clark, Jr.

OFFICE OF THE SERGEANT-AT-ARMS

Sergeant-at-Arms	Cecil Goins
Deputy Sergeant-at-Arms	Royster Baker
Secretary	Martha Dunn
Assistants	
Collis Brown	Bonnie Mullen
Fallis O. Finch, Jr.	Mary Perry
Jimmy Hight	Hubert Poole
Archie McMillan	Phil Riley
Jack Mueller	Leslie Wright

CHAPLAIN Mike Morris

SECRETARIES/COMMITTEE CLERKS

SUPERVISOR Janet Pruitt

Name	*Senator*	*Clerk of Committee*
Avent, Irma	Jordan	Local Government and Regional Affairs
Bagley, Jane (Dee)	Smith	
Birdsong, Julia	Albertson	Agriculture/Environment/ Natural Resources
Bowles, Gerry	Foxx	
Britt, Judy	Sherron	Finance
Caldwell, Wilma	Warren	Appropriations on General Government
Canady, Anne	Perdue	Appropriations
Carpenter, Helen	Carpenter	
Carter, Lucille	Horton	
Costello, Evelyn	Rand	Rules and Operation of the Senate
David-Yerumo, Bernie	Lucas	Children and Human Resources
Drew, Frances	Speed	Transportation
Dunnigan, Soraya	Edwards	Ways and Means
Gooden, Carolyn	Martin of Pitt	Appropriations on Natural and Economic Resources
Halifax, Peggy	Ledbetter	
Hartsell, Evelyn	Kerr	Finance
Hodge, Dee	Dannelly	
Hogan, Peggy Anne	Ballantine	
Holbrook, Dot		Office of Supervisor
Holt, Gerald	Winner	Appropriations on Education/Higher Education; and Education/Higher Education
Johnson, Gerry	Hartsell	
Jordan, Martha	Simpson	
Kay, Wanda	Martin of Guilford	Appropriations on Human Resources
King, Margaret	Allran	Minority Whip
Lefort, Terry	Blackmon	

Name	*Senator*	*Clerk of Committee*
LeGrande, Beth	Plexico	Appropriations on Education/Higher Education; and Education/Higher Education
Mahaffey, Margaret	Sawyer	
Misner, Pat	Plyler	Appropriations
Moore, Susan	Cooper	Judiciary I/Constitution
Porter, Phyllis	Kincaid	
Pulley, Nancy	East	
Puryear, Janet	Soles	Deputy President *Pro Tempore*; and Pensions and Retirement/ Insurance/State Personnel
Resar, Carol	Gulley	Judiciary II/Election Laws
Shaw, Linda	Shaw	
Smith, Suzanne	Clark	
Stoddard, Betty	Little	
Taylor, Mary Lee	Cochrane	Minority Leader
Thompson, Lucille	Conder	Majority Leader; and Pensions and Retirement/ Insurance/State Personnel
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Waugaman, Dorothy	Odom	Base Budget
Williams, Penny	Hoyle	Appropriations on Department of Transportation

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—Senator Dan R. Simpson
ALLEGHANY COUNTY—District 12—Senator Don W. East
—Senator Virginia Foxx
ALLRAN, Austin M.—Senator **Catawba,** Lincoln (part)
Minority Whip **—26th District**
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—Senator Virginia Foxx
AVERY COUNTY—District 27—Senator Donald R. Kincaid
—Senator Dan R. Simpson

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BALLANCE, JR., Frank W.—Senator Bertie (part), Gates,
Majority Whip Halifax (part), Hertford, Northampton,
Vance (part), **Warren—2nd District**
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BALLANTINE, Patrick J.—Senator Carteret (part), **New Hanover** (part),
Onslow (part), Pender (part)—**4th District**
Committee Assignments ..... 8.
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Presence Recorded ..... 7.
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—District 30—Senator David R. Parnell
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BUNCOMBE COUNTY—District 28—Senator R L Clark
—Senator Jesse I. Ledbetter
—District 42—Senator Robert C. Carpenter
BURKE COUNTY—District 27—Senator Donald R. Kincaid
—Senator Dan R. Simpson
—District 28—Senator R L Clark
—Senator Jesse I. Ledbetter

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CABARRUS COUNTY—District 22—Senator Fletcher L. Hartsell, Jr.
CALDWELL COUNTY—District 27—Senator Donald R. Kincaid
—Senator Dan R. Simpson
CAMDEN COUNTY—District 1—Senator Marc Basnight

CARPENTER, Robert C.—Senator Buncombe (part), Cherokee, Clay, Graham, Haywood (part), Henderson (part), Jackson (part), **Macon** (part), Polk, Transylvania (part)—**42nd District**
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CARTERET COUNTY—District 3—Senator Beverly M. Perdue
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—Senator Teena S. Little
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CHOWAN COUNTY—District 1—Senator Marc Basnight
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—District 37—Senator Dennis H. Davis
COCHRANE, Betsy L.—Senator Davidson (part), **Davie**,
Minority Leader Forsyth (part), Rowan (part)— **38th District**
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CRAVEN COUNTY—District 3—Senator Beverly M. Perdue
CUMBERLAND COUNTY—District 24—Senator Anthony E. Rand
—District 30—Senator David R. Parnell
—District 41—Senator C. R. Edwards
CURRITUCK COUNTY—District 1—Senator Marc Basnight

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DANNELLY, Charlie Smith—Senator **Mecklenburg** (part)—**33rd District**
Committee Assignments ..... 8.
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DARE COUNTY—District 1—Senator Marc Basnight
DAVIDSON COUNTY—District 19—Senator Robert G. Shaw
—District 23—Senator Paul S. Smith
—District 38—Senator Betsy L. Cochrane
DAVIE COUNTY—District 38—Senator Betsy L. Cochrane
DAVIS, Dennis H.—Senator **Cleveland** (part), Rutherford—**37th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
DEPUTY PRESIDENT *PRO TEMPORE*—see **Soles, Jr., R. C.—Senator**
DISTRICTS, SENATE ..... 3, 16.
DUPLIN COUNTY—District 5—Senator Charles W. Albertson
DURHAM COUNTY—District 13—Senator Jeanne Hopkins Lucas
—Senator Wib Gulley

– E –

EAST, Don W.—Senator Alleghany, Ashe, Guilford (part), Rockingham, Stokes, **Surry,** Watauga—**12th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
EDGECOMBE COUNTY—District 6—Senator R. L. Martin
—District 10—Senator Roy A. Cooper III
EDWARDS, C. R.—Senator **Cumberland** (part)—**41st District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.

EMPLOYMENT SECURITY [G.S. 96]
Employer Contribution Rate 1.2%
S 2 [Sec. 1](Ch. 1) ..... 9, 11, 12, 16.
Unemployment Insurance Zero Tax Rate
S 2 [Sec. 4](Ch. 1) ..... 9, 11, 12, 19.
Unemployment Trust Fund ..... 6.
ENROLLING CLERK ..... 9, 12.
EXCUSED ABSENCE ..... None.
EXCUSED VOTES ..... None.
EXECUTIVE ORDERS [G.S. 147-16.1]
Number 83 ..... 10, 21.
Number 84 ..... 10, 21.
Number 85 ..... 10, 21.
Number 86 ..... 10, 22.
Number 87 ..... 10, 22.
Number 88 ..... 10, 22.
Number 89 ..... 10, 22.
Number 90 ..... 10, 22.
Number 91 ..... 10, 23.
Number 92 ..... 10, 23.
Number 93 ..... 10, 23.
EXPERIENCE TAX RATING—see **Taxation**

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FINK, Sylvia Morris—Principal Clerk ..... 3, 13, 15, 27.
FORRESTER, James—Senator **Gaston** (part), Iredell (part), Lincoln (part)—**39th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
FORSYTH COUNTY—District 20—Senator Hamilton C. Horton, Jr.
—Senator James Mark McDaniel
—District 38—Senator Betsy L. Cochrane
FOXX, Virginia—Senator Alleghany, Ashe, Guilford (part), Rockingham, Stokes, Surry, **Watauga—12th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
FRANKLIN COUNTY—District 11—Senator James D. Speed

– G –

GASTON COUNTY—District 25—Senator David W. Hoyle
—District 39—Senator James Forrester
GATES COUNTY—District 2—Senator Frank W. Ballance, Jr.

GENERAL ASSEMBLY [G.S. 120]
Convene—see that heading
Districts—see that heading
House of Representatives—see that heading
Lieutenant Governor—see **President of Senate**
Reports—see that heading
Senate—see that heading
Staff ..... 9, 27.
GOINS, Cecil—Sergeant-at-Arms ..... 3, 28.
GOVERNOR—Honorable James B. Hunt, Jr.
Lieutenant Governor—see that heading
Proclamation Issued ..... 5.
GRAHAM COUNTY—District 42—Senator Robert C. Carpenter
GRANVILLE COUNTY—District 13—Senator Wib Gulley
—Senator Jeanne Hopkins Lucas
GREENE COUNTY—District 8—Senator John Kerr
GUILFORD COUNTY—District 12—Senator Don W. East
—Senator Virginia Foxx
—District 19—Senator Robert G. Shaw
—District 31—Senator William N. Martin
—District 32—Senator Thomas B. Sawyer, Sr.
GULLEY, Wib—Senator **Durham**, Granville, Person (part), Wake (part)—**13th District**
Committee Assignments ..... 8.
Co-Sponsor—
Senate Resolution 1 ..... 7.
Senate Bill 2 ..... 9.
Presence Recorded ..... 7.

– H –

HALIFAX COUNTY—District 2—Senator Frank W. Ballance, Jr.
—District 10—Senator Roy A. Cooper III
HARNETT COUNTY—District 15—Senator Daniel E. Page
HARRIS, J. Ollie
Memorialized in Prayer/Former Senator ..... 5.
HARTSELL, JR., Fletcher L.—Senator **Cabarrus**, Rowan (part), Stanly (part)—22nd District
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
HAYWOOD COUNTY—District 29—Senator J. Clark Plexico
—District 42—Senator Robert C. Carpenter
HENDERSON COUNTY—District 29—Senator J. Clark Plexico
—District 42—Senator Robert C. Carpenter
HERTFORD COUNTY—District 2—Senator Frank W. Ballance, Jr.

HOBBS, Fred M.—Senator Chatham, Lee (part), **Moore,** Orange, Randolph (part)—**16th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
HOKE COUNTY—District 17—Senator Richard Conder
—Senator Aaron Plyler
—District 30—Senator David R. Parnell
HORTON, JR., Hamilton C.—Senator **Forsyth** (part)—**20th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
HOUSE OF REPRESENTATIVES
Adjourn, *Sine Die* ..... 13.
Business Concluded ..... 12.
Organized ..... 9.
HOYLE, David W.—Senator Cleveland (part), **Gaston** (part), Lincoln (part)—**25th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
HUNT, JR., James B.—see **Governor**
HYDE COUNTY—District 1—Senator Marc Basnight

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INSURANCE [G.S. 58]
Unemployment—see **Employment Security; Taxation**
IREDELL COUNTY—District 23—Senator Paul S. Smith
—District 39—Senator James Forrester

– J –

JACKSON COUNTY—District 29—Senator J. Clark Plexico
—District 42—Senator Robert C. Carpenter
JOHNSTON COUNTY—District 11—Senator James D. Speed
—District 14—Senator Henry Edward McKoy
—Senator J. K. Sherron, Jr.
—District 15—Senator Daniel E. Page
JOINT RESOLUTIONS—see **Resolutions, Joint**
JONES COUNTY—District 5—Senator Charles W. Albertson
—District 7—Senator Luther Henry Jordan, Jr.
JORDAN, JR., Luther Henry—Senator Jones (part), Lenoir (part), **New Hanover** (part), Onslow (part), Pender (part)—**7th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.

– K –

KERR III, John H.—Senator Greene, Lenoir (part), **Wayne—8th District**
Committee Assignments ..... 8.
Primary Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
KINCAID, Donald R.—Senator Alexander, Avery, Burke (part), **Caldwell,** Mitchell, Wilkes, Yadkin—**27th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.

– L –

LEDBETTER, Jesse I. —Senator **Buncombe** (part), Burke (part), Madison, McDowell, Yancey—**28th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
LEE COUNTY—District 15—Senator Daniel E. Page
—District 16—Senator Fred M. Hobbs
—Senator Teena S. Little
LEGISLATIVE
House of Represenatives—see that heading
Research Commission Studies—see **Studies** (LRC)
Senate—see that heading
LENOIR COUNTY—District 7—Senator Luther Henry Jordan, Jr.
—District 8—Senator John H. Kerr III
—District 9—Senator Ed N. Warren
LIEUTENANT GOVERNOR—Honorable Dennis A. Wicker
President of the Senate—see that heading
LINCOLN COUNTY—District 25—Senator David W. Hoyle
—District 26—Senator Austin M. Allran
—District 34—Senator T.L. "Fountain" Odom
—District 39—Senator James Forrester
LITTLE, Teena S.—Senator Chatham, Lee (part), **Moore,** Orange, Randolph (part)—**16th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
LRC (Legislative Research Commission)—see **Studies**
LUCAS, Jeanne Hopkins—Senator **Durham,** Granville, Person (part), Wake (part)—**13th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.

– M –

MACON COUNTY—District 29—Senator J. Clark Plexico
—District 42—Senator Robert C. Carpenter
MADISON COUNTY—District 28—Senator R L Clark
—Senator Jesse I. Ledbetter
MAJORITY LEADER—see **Conder, J. Richard—Senator**
MARTIN COUNTY—District 6—Senator R. L. Martin
—District 9—Senator Ed N. Warren
MARTIN, R. L.—Senator Edgecombe (part), Martin (part), **Pitt** (part), Washington (part), Wilson (part)—**6th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
MARTIN, William N.—Senator **Guilford** (part)—**31st District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
McDANIEL, James Mark—Senator **Forsyth** (part)—**20th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
McDOWELL COUNTY—District 28—Senator R L Clark
—Senator Jesse I. Ledbetter
McKOY, Henry Edward—Senator Johnston (part), **Wake** (part)—**14th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
MECKLENBURG COUNTY—District 33—Senator Charlie Smith Dannelly
—District 34—Senator T. L. "Fountain" Odom
—District 35—Senator John Gerald Blackmon
—District 40—Senator Leslie Winner
MINORITY LEADER—see **Cochrane, Betsy L.—Senator**
MITCHELL COUNTY—District 27—Senator Donald R. Kincaid
—Senator Dan R. Simpson
MONTGOMERY COUNTY—District 17—Senator J. Richard Conder
—Senator Aaron W. Plyler
MOORE COUNTY—District 16—Senator Fred M. Hobbs
—Senator Teena S. Little

– N –

NASH COUNTY—District 10—Senator Roy A. Cooper III
NEW HANOVER COUNTY—District 4—Senator Patrick J. Ballantine
—District 7—Senator Luther Henry Jordan, Jr.
—District 18—Senator R. C. Soles, Jr.
NORTHAMPTON COUNTY—District 2—Senator Frank W. Ballance, Jr.

– O –

ODOM, T. L. "Fountain"—Senator Lincoln (part), **Mecklenburg** (part)—**34th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
ONSLOW COUNTY—District 4—Senator Patrick J. Ballantine
—District 5—Senator Charles W. Albertson
—District 7—Senator Luther Henry Jordan, Jr.
ORANGE COUNTY—District 16—Senator Fred M. Hobbs
—Senator Teena S. Little

– P –

PAGE, Daniel E.—Senator **Harnett,** Johnston (part), Lee (part), Sampson (part)—**15th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
PAMLICO COUNTY—District 3—Senator Beverly M. Perdue
PARNELL, David R.—Senator Bladen (part), Cumberland (part), Hoke (part), **Robeson,** Sampson (part)—**30th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
PASQUOTANK COUNTY—District 1—Senator Marc Basnight
PENDER COUNTY—District 4—Senator Patrick J. Ballantine
—District 5—Senator Charles W. Albertson
—District 7—Senator Luther Henry Jordan, Jr.
PERDUE, Beverly M.—Senator Carteret (part), **Craven,** Pamlico—**3rd District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
PERQUIMANS COUNTY—District 1—Senator Marc Basnight
PERSON COUNTY—District 13—Senator Wib Gulley
—Senator Jeanne Hopkins Lucas
—District 21—Senator Hugh Webster
PITT COUNTY—District 6—Senator R. L. Martin
—District 9—Senator Ed N. Warren
PLEDGE OF ALLEGIANCE ..... 5.
PLEXICO, J. Clark—Senator Haywood (part), **Henderson** (part), Jackson (part), Macon (part), Swain, Transylvania (part)—**29th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.

PLYLER, Aaron W.—Senator Anson, Hoke (part), Montgomery, Richmond, Scotland, Stanly (part), **Union—17th District**
Committee Assignments ..... 8.
Co-Sponsor—
Senate Bill 2 ..... 9.
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Presence Recorded ..... 7.
POLK COUNTY—District 42—Senator Robert C. Carpenter
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Morris, Reverend Mike (Senate Chaplain) ..... 5.
PRESIDENT OF THE SENATE (Lieutenant Governor)
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Staff ..... 27.
PRESIDENT *PRO TEMPORE* OF THE SENATE—see **Basnight, Marc—Senator**
PRINCIPAL CLERK ..... 3, 13, 15, 27.
PROCLAMATION BY GOVERNOR ..... 6.

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QUORUM ..... 7.

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RAND, Anthony E.—Senator **Cumberland** (part)—**24th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
Primary Sponsor—Senate Resolution 1 ..... 7.
RANDOLPH COUNTY—District 16—Senator Fred M. Hobbs
—Senator Teena S. Little
—District 19—Senator Robert G. Shaw
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Submitted to General Assembly ..... 10, 15.

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Adjournment *Sine Die*
H 3 (Res. 1) ..... 12.
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Air Pollution/Business Trip Reduction ..... 11, 16.
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S 1 (adopted) ..... 7, 16.
RICHMOND COUNTY—District 17—Senator J. Richard Conder
—Senator Aaron W. Plyler
ROBESON COUNTY—District 30—Senator David R. Parnell
ROCKINGHAM COUNTY—District 12—Senator Don W. East
—Senator Virginia Foxx
ROWAN COUNTY—District 22—Senator Fletcher L. Hartsell, Jr.
—District 23—Senator Paul S. Smith
—District 38—Senator Betsy L. Cochrane
RULES
Permanent Adopted
S 1 (adopted) ..... 7, 16.
Rule 40, 43—Bill Filing Rescinded ..... 7.
Rule 40.1—Subject Eligibility Limited ..... 7.
Rule 41—Crossover Deadline Rescinded ..... 8.
Rule 43—First Reading; Reference to Committee ..... 8.
Rule 43.1—Second Reading Upon Report ..... 8.
Rule 50—Third Reading Consideration ..... 8.
Rule 56.1—Concurrence Consideration ..... 8.
Rule 59—Transmittal to House ..... 8.
RUTHERFORD COUNTY—District 37—Senator Dennis H. Davis

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SAMPSON COUNTY—District 5—Senator Charles W. Albertson
—District 15—Senator Daniel E. Page
—District 30—Senator David R. Parnell
SAWYER, SR., Thomas B.—Senator Guilford (part)—**32nd District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
SCOTLAND COUNTY—District 17—Senator J. Richard Conder
—Senator Aaron W. Plyler
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Adjournment—see that heading
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S 2 (Ch. 1) ..... 11.
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Chaplain—see **Prayer**
Committees—see that heading

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Proclamation Convening ..... 5.
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Staff ..... 27.
SERGEANT-AT-ARMS ..... 3, 28.
SHAW, Robert G.—Senator Davidson (part), **Guilford** (part), Randolph (part)—**19th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
SHERRON, JR., J. K.—Senator Johnston (part), **Wake** (part)—**14th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
SIMPSON, Dan R.—Senator Alexander, Avery, **Burke** (part), Caldwell, Mitchell, Wilkes, Yadkin—**27th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
SMITH, Paul S.—Senator Davidson (part), Iredell (part), **Rowan** (part)—**23rd District**
Adjournment Motion—Second ..... 13.
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
SOLES, JR., R. C.—Senator Bladen (part), Brunswick, **Columbus,**
Deputy President *Pro Tempore* New Hanover (part)—**18th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
SPEED, James D.—Senator **Franklin,** Johnston (part), Vance (part), Wilson (part)— **11th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
STAFF ..... 9, 27.
STANLY COUNTY—District 17—Senator J. Richard Conder
—Senator Aaron W. Plyler
—District 22—Senator Fletcher L. Hartsell, Jr.

STOKES COUNTY—District 12—Senator Don W. East
—Senator Virginia Foxx
STUDIES
Employment Security Law Issues/LRC
S 2 [Sec. 5](H 2)(Ch. 1) ..... 9, 11, 12, 19.
SURRY COUNTY—District 12—Senator Don W. East
—Senator Virginia Foxx
SWAIN COUNTY—District 29—Senator J. Clark Plexico

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TAXATION [G.S. 105]
Unemployment Insurance
Rate 1.2%/New Employer
S 2 [Sec. 1](H 2)(Ch. 1) ..... 9, 11, 12, 16.
Zero Tax Rate/1996
S 2 [Sec. 4](H 2)(Ch. 1) ..... 9, 11, 12, 19.
TRANSYLVANIA COUNTY—District 29—Senator Clark Plexico
—District 42—Senator Robert C. Carpenter
TYRRELL COUNTY—District 1—Senator Marc Basnight

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UNEMPLOYMENT—see **Employment Security; Taxation**
UNION COUNTY—District 17—Senator J. Richard Conder
—Senator Aaron W. Plyler

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VANCE COUNTY—District 2—Senator Frank W. Ballance, Jr.
—District 11—Senator James D. Speed
VOTING
Excused ..... None.
Tied ..... None.

– W –

WAKE COUNTY—District 13—Senator Jeanne Hopkins Lucas
—Senator Wib Gulley
—District 14—Senator Henry Edward McKoy
—Senator J. K. Sherron, Jr.
—District 36—Senator John H. Carrington
WARREN COUNTY—District 2—Senator Frank W. Ballance, Jr.

WARREN, Ed N.—Senator Beaufort (part), Lenoir (part), Martin (part), **Pitt** (part)— **9th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
WASHINGTON COUNTY—District 1—Senator Marc Basnight
—District 6—Senator R. L. Martin
WATAUGA COUNTY—District 12—Senator Don W. East
—Senator Virginia Foxx
WAYNE COUNTY—District 8—Senator John H. Kerr III
WEBSTER, Hugh—Senator Alamance, **Caswell**, Person (part)—**21st District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.
WICKER, Dennis A.—see **Lieutenant Governor**
WILKES COUNTY—District 27—Senator Donald R. Kincaid
—Senator Dan R. Simpson
WILSON COUNTY—District 6—Senator R. L. Martin
—District 10—Senator Roy A. Cooper III
—District 11—Senator James D. Speed
WINNER, Leslie—Senator **Mecklenburg** (part)—**40th District**
Committee Assignments ..... 8.
Co-Sponsor—Senate Bill 2 ..... 9.
Presence Recorded ..... 7.

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YADKIN COUNTY—District 27—Senator Donald R. Kincaid
—Senator Dan R. Simpson
YANCEY COUNTY—District 28—Senator R L Clark
—Senator Jesse I. Ledbetter

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ZERO TAX RATE—see **Taxation**

JOURNAL

OF THE

SENATE

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA

SECOND SESSION

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OF THE

STATE OF NORTH CAROLINA

SECOND SESSION

1996

OFFICERS AND MEMBERS
OF
THE SENATE OF NORTH CAROLINA
GENERAL ASSEMBLY
SECOND SESSION 1996

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MARC BASNIGHT, President *Pro Tempore* ..... Manteo
R. C. SOLES, JR., Deputy President *Pro Tempore* ..... Tabor City
SYLVIA M. FINK, Principal Clerk ..... Raleigh
LEROY CLARK, JR., Reading Clerk ..... Wendell
CECIL GOINS, Sergeant-at-Arms ..... Raleigh

DISTRICT		NAME OF SENATOR	CITY of RESIDENCE
1		MARC BASNIGHT	Manteo
2		FRANK W. BALLANCE, JR.	Warrenton
3		BEVERLY M. PERDUE	New Bern
4		PATRICK J. BALLANTINE	Wilmington
5		CHARLES W. ALBERTSON	Beulaville
6		R. L. MARTIN	Bethel
7		LUTHER HENRY JORDAN, JR.	Wilmington
8		JOHN KERR	Goldsboro
9		ED N. WARREN	Greenville
10		ROY A. COOPER III	Rocky Mount
11		JAMES D. SPEED	Louisburg
12		DON W. EAST	Pilot Mountain
		VIRGINIA FOXX	Banner Elk
13		WILBUR P. GULLEY	Durham
		JEANNE H. LUCAS	Durham
14		HENRY E. McKOY	Raleigh
		J. K. SHERRON, JR.	Raleigh
15		DANIEL E. PAGE	Coats
16		FRED M. HOBBS	Southern Pines
		TEENA S. LITTLE	Southern Pines
17		J. RICHARD CONDER	Rockingham
		AARON W. PLYLER	Monroe
18		R. C. SOLES, JR.	Tabor City
19		ROBERT G. SHAW	Greensboro
20		HAMILTON C. HORTON	Winston-Salem
		JAMES MARK McDANIEL	Pfafftown
21		HUGH WEBSTER	Yanceyville
22		FLETCHER L. HARTSELL, JR.	Concord
23		PAUL S. SMITH	Salisbury
24		ANTHONY E. RAND	Fayetteville
25		DAVID HOYLE	Dallas
26		AUSTIN M. ALLRAN	Hickory
27		DONALD R. KINCAID	Lenoir
		DAN R. SIMPSON	Morganton
28		R L CLARK	Asheville
		JESSE I. LEDBETTER	Asheville
29		CLARK PLEXICO	Hendersonville
30		DAVID R. PARNELL	Parkton
31		WILLIAM N. MARTIN	Greensboro
32	*	THOMAS B. SAWYER, SR.	Greensboro
	**	JOHN M. BLUST	Greensboro
33		CHARLIE SMITH DANNELLY	Charlotte
34		T. L. ODOM	Charlotte
35		JOHN GERALD BLACKMON	Charlotte
36		JOHN H. CARRINGTON	Raleigh
37		DENNIS DAVIS	Lattimore
38		BETSY L. COCHRANE	Advance
39		JAMES FORRESTER	Stanley
40		LESLIE WINNER	Charlotte
41		C. R. EDWARDS	Fayetteville
42		ROBERT C. CARPENTER	Franklin

(See *Appendix* for Senatorial Districts)
*Died March 19, 1996
**Appointed May 9, 1996

OFFICERS AND MEMBERS
OF
THE SENATE OF NORTH CAROLINA
GENERAL ASSEMBLY
SECOND SESSION 1996

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MARC BASNIGHT, President Pro Tempore ..... Manteo
R. C. SOLES, JR., Deputy President Pro Tempore ..... Tabor City
SYLVIA M. FINK, Principal Clerk ..... Raleigh
LEROY CLARK, JR., Reading Clerk ..... Wendell
CECIL COINS, Sergeant-at-Arms ..... Raleigh

DISTRICT	NAME OF SENATOR	CITY or RESIDENCE
1	MARC BASNIGHT	Manteo
2	FRANK W. BALLANCE, JR.	Warsaw
3	STEVEN M. FREDUE	New Bern
4	PATRICK J. BALLANTINE	Wilmington
5	CHARLES W. ALBERTSON	Beulaville
6	R. L. MARTIN	Rocky
7	LUTHER HENRY JORDAN, JR.	Whiteville
8	JOHN KERR	Goldsboro
9	ELI W. WARREN	Greenville
10	ROY A. COOPER III	Nash Mount
11	JAMES D. SPEED	Louisburg
12	DON W. EAST	Pilot Mountain
	VIRGINIA I. COX	Banner Elk
13	WILBUR P. GULLEY	Durham
	JEANNE H. LUCAS	Durham
14	HENRY E. McKOY	Raleigh
	J. K. SHERRON, JR.	Raleigh
15	DANIEL E. PAGE	Cross
16	FRED M. HOBBS	Southern Pines
	TERESA S. LITTLE	Southern Pines
17	J. RICHARD CONDER	Rockingham
	AARON W. PLYLER	Monroe
18	R. C. SOLES, JR.	Tabor City
19	ROBERT C. SHAW	Greensboro
20	HAMILTON C. HORTON	Winston–Salem
	JAMES MARK McDANIEL	Pfafftown
21	HOLOH WEBSTER	Yanceyville
22	FLETCHER L. HARTSELL, JR.	Concord
23	PAUL S. SMITH	Salisbury
24	ANTHONY E. RAND	Fayetteville
25	DAVID HOYLE	Dallas
26	AUSTIN M. ALLRAN	Hickory
27	DONALD R. KINCAID	Lenoir
	DAN R. SIMPSON	Morganton
28	R. L. CLARK	Asheville
	JESSE J. EDDLETTER	Asheville
29	CLARK PLYLER	Hendersonville
30	DAVID R. PARNELL	Pardue
31	WILLIAM N. MARTIN	Greensboro
32	THOMAS B. SAWYER, SR.	Greensboro
**	JOHN M. BLUST	Greensboro
33	CHARLIE SMITH DANIELS	Charlotte
34	T. L. ODOM	Charlotte
35	JOHN CLIFFORD BLACKMON	Charlotte
36	JOHN H. CARR IMOTTO	Raleigh
37	DENNIS DAVIS	Lattimore
38	BETSY L. COCHRANE	Advance
39	JAMES FORRESTER	Smithfield
40	LESLIE WINNER	Charlotte
41	C. R. EDWARDS	Fayetteville
42	ROBERT C. CARPENTER	Franklin

(See Appendix for Senatorial Districts)
*Died March 19, 1996
**Appointed May 6, 1996

SENATE JOURNAL

SECOND SESSION 1996

ONE HUNDRED TENTH DAY

Senate Chamber
Monday, May 13, 1996.

The Senate meets at 12:00 Noon pursuant to adjournment as provided by Resolution 15, and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Almighty God, as this Legislative Session convenes today, remind us that the greatest law ever written says that we are to love You with all of our hearts, minds, and souls—and our neighbors as ourselves.

"May that be the pervasive spirit that guides and informs the men, women, and staff of the Senate.

"Though written on paper with words and assigned a number, the bills that become law in this Chamber will be anything but inanimate documents. They will become as alive as their writers and representative of them. So may each piece of legislation possess a heart that responds to those in urgent, present need; a strong vision to understand its impact on our futures and the Godly wisdom of the soul that discerns the delicate balance between the two.

"Heart, mind, and soul—may we see the very best of these in the men and women called to serve here. For Your sake we pray, Amen."

Led by the Lieutenant Governor, members and guests remain standing and pledge allegiance to the United States of America.

With unanimous consent, the President grants a leave of absence for today to Senator Hoyle and Senator Jordan.

Senator Basnight, President *Pro Tempore,* announces the Journal of Saturday, July 29, 1995, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Jack Page of Durham, who is serving the Senate as Doctor of the Day.

APPOINTMENT TO FILL UNEXPIRED TERM

The President lays before the Senate the Proclamation issued by Governor James B. Hunt, Jr., on May 9, 1996, appointing John Marshall Blust to fill the vacancy created by the death of Senator Thomas B. Sawyer, Sr., as follows:

STATE OF NORTH CAROLINA

James B. Hunt, Jr.
Governor

THE APPOINTMENT OF JOHN MARSHALL BLUST
1996
BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA
A PROCLAMATION

WHEREAS, the Honorable Thomas B. Sawyer, Sr., elected Senator from the Thirty–Second District 1995 General Assembly, has died in office; and

WHEREAS, the provisions of General Statutes 163–11 require that the vacancy created by the death of the Honorable Thomas B. Sawyer, Sr., be filled by appointment of the person recommended by the Thirty–Second Senatorial District Executive Committee of the Republican Party; and

WHEREAS, the Thirty–Second Senatorial District Executive Committee of the Republican Party has notified me of its recommendation of John Marshall Blust of Greensboro, North Carolina, to fill said vacancy,

I do by these presents appoint
JOHN MARSHALL BLUST
as a member of the
NORTH CAROLINA SENATE
1995 General Assembly

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State at the Capitol in the City of Raleigh, this 9th day of May in the year of our Lord, One Thousand Nine Hundred Ninety–Six.

S/James B. Hunt, Jr.
Governor of North Carolina

S/Janice H. Faulkner
(SEAL) *Secretary of State*

The Chair recognizes the Sergeant–at–Arms, Cecil Goins, who announces the presence of John Marshall Blust in the Chamber who awaits the direction of the Chair.

The Chair recognizes Senator Basnight, President *Pro Tempore*, who appoints a committee of Senator Soles, Senator Conder, Senator Cochrane, Senator Martin of

Guilford, Senator Foxx, Senator East, and Senator Shaw to escort John Marshall Blust to the Well of the Senate.

Senator Shaw administers the oath of office to John Marshall Blust to which he responds and subscribes, as follows:

OATH OF SENATOR JOHN MARSHALL BLUST

I, John Marshall Blust, solemnly swear that I will support the Constitution and laws of the United States; so help me, God.

I solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the Constitutional powers and authorities which are or may be established for the government thereof; and I will endeavor to support, maintain, and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability.

I solemnly and sincerely swear that I will faithfully discharge my duties as a Member of the Senate representing the 32nd Senatorial District of the 1995 General Assembly of the State of North Carolina to the best of my skill and ability; so help me, God.

The Chair recognizes Senator Basnight, President *Pro Tempore*, who congratulates and announces the assignment of Seat No. 50 to Senator Blust.

APPOINTMENT OF COMMITTEES

Senator Basnight, President *Pro Tempore*, appoints Senator Blust to the following Standing Committees:

Children and Human Resources,
Finance,
Judiciary II/Election Laws,
Ways and Means.

The President directs the named Senators to escort Senator Blust to Seat No. 50, which he assumes with full privileges as a Senator of the General Assembly of North Carolina. The President of the Senate extends congratulations.

The Chair recognizes Senator Blust, who briefly addresses the membership.

The Chair extends courtesies of the gallery to the mother of Senator Blust, Mrs. Barbara Blust, and his brother, David Blust.

The Senate recesses at 12:13 P.M. for the purpose of congratulating Senator Blust to reconvene at 12:25 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

The Chair extends courtesies of the floor to Larry Cobb, former Senator from Mecklenburg County.

Senator Foxx rises to a point of personal privilege and offers comments on the One Hundredth Anniversary of Spray Cotton Mills. With unanimous consent, upon motion of Senator Foxx, her remarks are spread upon the Journal as follows:

"Senators, I would like you to know that on Wednesday of this week Spray Cotton Mills is going to be celebrating its One Hundredth Anniversary. And I would like to tell you a little bit about this important industry in Rockingham County and ask that this be made a part of the record so that I may present it to them.

"Spray Cotton Mills, incorporated in 1896, is the oldest continuously operating textile mill in Rockingham County and one of the oldest in North Carolina. Since the early Nineteenth Century textiles have been important to the County's economy, first as a home based–cottage industry and then with the advent of factories becoming the dominant employer in the County as well as the State. Today, American textile manufacturing, which brought the industrial revolution to this country, is just over two hundred years old and Spray Cotton Mills, which has been a participant in half of this history, is a significant source for the study of the industrial history of the State.

"At present Spray Cotton Mills not only reflects the history of the American textile industry and the industrial revolution, but it also stands for what is best about American capitalism—integrity, creative entrepreneurship, visionary leadership, efficient but fair management, and company loyalty and pride. Throughout the industry, "Spray–Spun" has become synonymous with high quality products and customer satisfaction. Born in the "New South" era of Southern industrial development, Spray Cotton Mills in its centennial year is a model for American corporations nationwide. Thank you."

EXECUTIVE ORDERS

Executive Orders received in the Office of the Senate Principal Clerk following adjournment *sine die* of the Extra Session of the 1995 General Assembly are presented to the Senate (*see Appendix*), read and referred to committee, as follows:

Executive Order Number 94, North Carolina Alliance for Competitive Technologies (NC ACTs).
Referred to **Rules and Operation of the Senate Committee**.

Executive Order Number 95, Council on Health Policy Information.
Referred to **Rules and Operation of the Senate Committee.**

REPORTS TO GENERAL ASSEMBLY

Boards, Commissions, and Agencies directed to report to the General Assembly submit reports (*see Addendum*) which are ordered placed on file in the Legislative Library, as follows:

Pursuant to H.B. 229 (Ch. 324), Section 26.1 of the 1995 Session Laws, the North Carolina Department of Environment, Health and Natural Resources submits the Report of Inactive Hazardous Sites Cleanup Fund Cost Contribution for Voluntary Remedial Actions 1995–1996 Fiscal Year.

Pursuant to Chapter 333 of the 1995 Session Laws, the Supreme Court of North Carolina submits its report on a Case Flow Management Plan.

Pursuant to Chapter 507, Section 21.2 of the 1995 Session Laws, the North Carolina Sentencing and Policy Advisory Commission submits its report on Recidivism of Offenders Assigned to Community Corrections Programs or Released from Prison in North Carolina: Fiscal Year 1992–93.

Pursuant to Chapter 507, Section 8.5(d) of the 1995 Session Laws, the Joint Legislative Study Commission on Job Training Programs submits its Report to the 1995 General Assembly of North Carolina, 1996 Regular Session.

The President recognizes the following pages serving in the Senate this week:

Dare Davenport Branch, Wendell; Benjamin Buchanan, Charlotte; Cameron Buchanan, Charlotte; Justin Buff, Monroe; Nathan Blair Clark, Clyde; Ryan Hardin Dunaway, Gastonia; Adam Lee Forbes, Gastonia; Laura P. Hine, Goldsboro; Anna Bradsher Honeycutt, Raleigh; Hassan T. Kingsberry, Warrenton; Meredith Lassiter, Salisbury; Jordan Thomas Liggitt, Leasburg; Craig W. McCall, Wilkesboro; Benjamin Phillips, Leasburg; Marshall Leroy Powell III, Camden; LaTonya Rascoe, Raleigh; Charles Vaughan Robinson, Elizabeth City; Christopher Rouse, Pantego; Amber Saunders, Bessemer City; Courtney Renee Smith, Garner; Carey K.J. Sveen, Franklin; Jeffrey Ray Tyndall, Erwin; and Jonathan David Wilson, Leasburg.

On motion of Senator Basnight, seconded by Senator Blust, the Senate adjourns at 12:41 P.M. to meet tomorrow, Tuesday, May 14, at 1:30 P.M.

ONE HUNDRED ELEVENTH DAY

SENATE CHAMBER
Tuesday, May 14, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Our Loving God, We thank You for good health, supportive families, good friends, and all the things we so often take for granted. We thank You for the challenges of this day, for work to do that demands the best we have and still finds us sometimes inadequate. We seek Your Help, knowing that in partnership with You there shall be no problems beyond our solution. God help us to be right and to do right. To Your Glory, Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Ballantine due to illness and to Senator Perdue who is attending funerals for University of North Carolina students who lost their lives in the Phi Gamma Delta Fraternity House fire in Chapel Hill, of which her son is a member.

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Monday, May 14, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. John T. Meredith of Greenville, who is serving the Senate as Doctor of the Day.

INTRODUCTION OF BILLS AND A RESOLUTION

Bills and a resolution filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Edwards:
S.B. 1104, a bill to provide limited immunity for medical care providers providing medical information on drivers to the Commissioner of Motor Vehicles.
Referred to **Judiciary II/Election Laws Committee**.

By Senator Hartsell:
S.J.R. 1105, a joint resolution authorizing the 1995 General Assembly, 1996 Session, to consider a bill to be entitled an act to make various technical amendments to the General Statutes as recommended by the General Statutes Commission.
Referred to **Rules and Operation of the Senate Committee**.

By Senators Perdue and Warren:
S.B. 1106, a bill to appropriate funds for the four Alzheimer's Chapters.
Referred to **Appropriations Committee**.

By Senators Perdue and Warren:
S.B. 1107, a bill to appropriate funds to the Department of Revenue so that North Carolina may facilitate the withholding of State income taxes from federal pension checks for retirees who request withholding.
Referred to **Finance Committee** and upon a favorable report, re–referred to the **Appropriations Committee.**

By Senators Perdue and Foxx:
S.B. 1108, a bill to provide that chocolate milk that is exempt from soft drink tax is not required to register with the Department of Revenue for the exemption.
Referred to **Finance Committee**.

By Senators Perdue and Warren:
S.B. 1109, a bill to extend the State Ports Study Commission.
Referred to **Rules and Operation of the Senate Committee**.

By Senators Perdue, Warren, and Odom:

S.B. 1110, a bill to appropriate funds for community and home care services for the aging.

Referred to **Children and Human Resources Committee** and upon a favorable report, re–referred to the **Appropriations Committee.**

By Senators Perdue, Foxx, and Odom:

S.B. 1111, a bill to repeal the thirty–day rule for demanding a refund of an illegal tax.

Referred to **Judiciary I/Constitution Committee** and upon a favorable report, re–referred to the **Finance Committee.**

By Senators Perdue and Shaw:

S.B. 1112, a bill to prohibit the issuance of new shellfish cultivation leases in Core Banks, to establish a moratorium on shellfish leases in the remaining area in Carteret County, and to require that the Joint Legislative Commission on Seafood and Aquaculture study the shellfish lease program.

Referred to **Agriculture/Environment/Natural Resources Committee.**

By Senators Conder and Plyler:

S.B. 1113, a bill to change the date for the oath of office for members of the Richmond County Board of Education.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Lucas, Dannelly, Hartsell, Hobbs, Perdue, Plexico, Winner, Gulley, and Kerr:

S.B. 1114, a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to change the composition of the Professional Teaching Standards Commission so that teachers have a majority, to expand the authority of the Professional Teaching Standards Commission, and to establish a Professional Practices Board.

Referred to **Education/Higher Education Committee.**

By Senators Winner, Hobbs, Conder, Edwards, Plexico, Dannelly, Lucas, Odom, Gulley, Hartsell, Carpenter, Perdue, Little, Davis, Kerr, Cooper, Hoyle, and Foxx:

S.B. 1115, a bill to implement the recommendation of the School Capital Construction Study Commission to authorize the issuance of general obligation bonds of the State, subject to a vote of the qualified voters of the State, to provide funds for grants to counties for public school capital outlay projects, in order to promote equity in local school facilities across the State and to enable local governments to give local property tax relief.

Referred to **Education/Higher Education Committee** and upon a favorable report, re–referred to the **Finance Committee** and upon a favorable report, re–referred to the **Appropriations Committee.**

By Senators Winner, Gulley, Hartsell, and Foxx:

S.B. 1116, a bill to allow persons who are unable to go to the polls because of observance of a religious holiday to cast an absentee ballot.

Referred to **Judiciary II/Election Laws Committee.**

By Senators Dannelly, Hartsell, Hobbs, Lucas, Perdue, Plexico, Winner, Albertson, Martin of Guilford, Warren, Cooper, Martin of Pitt, and Parnell:

S.B. 1117, a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to make amendments to the laws governing the Standards Board for Public School Administration and the Public School Administrator Exam.

Referred to **Education/Higher Education Committee.**

By Senators Parnell, Dannelly, Hartsell, Hobbs, Lucas, Perdue, Plexico, Winner, Odom, Albertson, Speed, Plyler, Gulley, and Cooper:

S.B. 1118, a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to change the name of Pembroke State University to the University of North Carolina at Pembroke.

Referred to **Education/Higher Education Committee.**

By Senators Gulley and Plexico:

S.B. 1119, a bill to provide for holding the canvass for primaries and elections on the third rather than the second day after election day.

Referred to **Judiciary II/Election Laws Committee.**

By Senators Gulley and Winner:

S.B. 1120, a bill to prohibit the use of ineligible voter's testimony about how the vote was cast; to give the person protesting the election the right to call for a new election when the number of ineligible voters exceeds the margin of victory; and to make related changes.

Referred to **Judiciary II/Election Laws Committee.**

By Senators Gulley and Winner:

S.B. 1121, a bill to add to the modes of election that may be chosen locally for city and county governments the following: cumulative voting and preference voting.

Referred to **Judiciary II/Election Laws Committee.**

By Senators Gulley and Winner:

S.B. 1122, a bill to repeal the sunset on designation of Employment Security Commission offices as voter registration agencies and to provide for funding.

Referred to **Judiciary II/Election Laws Committee** and upon a favorable report, re–referred to the **Appropriations Committee.**

By Senator Gulley:

S.B. 1123, a bill to make corrections in the 1994 legislation designed to bring North Carolina into compliance with the National Voter Registration Act.

Referred to **Judiciary II/Election Laws Committee.**

By Senators Gulley, Plexico, and Winner:

S.B. 1124, a bill to allow precinct assistants to work split shifts.

Referred to **Judiciary II/Election Laws Committee.**

By Senators Gulley, Plexico, and Winner:

S.B. 1125, a bill to codify the State Board of Elections' ruling concerning contributions to State campaigns by federal committees.

Referred to **Judiciary II/Election Laws Committee.**

By Senators Gulley, Plexico, and Winner:

S.B. 1126, a bill to allow the appointment in certain circumstances of precinct officials and ballot counters for a precinct who are not registered to vote in that precinct.

Referred to **Judiciary II/Election Laws Committee**.

By Senators Soles, Conder, Gulley, Perdue, Odom, Martin of Pitt, Martin of Guilford, Kerr, Sherron, Plyler, Rand, Lucas, Speed, Albertson, Dannelly, Edwards, Parnell, Winner, Hobbs, Warren, Cooper, and Hoyle:

S.B. 1127, a bill to provide postretirement increases in the benefits of retirees and other beneficiaries of the Teachers' and State Employees' Retirement System, the Consolidated Judicial Retirement System, the Legislative Retirement System, and the Local Governmental Employees' Retirement System.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee** and upon a favorable report, re–referred to the **Appropriations Committee.**

By Senators Perdue, Warren, Parnell, Plexico, Conder, Gulley, Martin of Guilford, Odom, Martin of Pitt, Ballance, Kerr, Rand, Plyler, Lucas, Speed, Albertson, Edwards, Soles, Dannelly, Winner, Cooper, Sherron, and Hobbs:

S.B. 1128, a bill to establish the Clean Water Management Trust Fund and a board of trustees to administer the Fund, to provide tax credits for certain efforts to clean up or prevent surface water pollution, and to provide that a certain percentage of General Fund reversions shall be appropriated to fund the Clean Water Management Trust Fund.

Referred to **Finance Committee** and upon a favorable report, re–referred to the **Appropriations Committee.**

By Senators Hobbs, Winner, Conder, Edwards, Plexico, Lucas, Gulley, Odom, Dannelly, Speed, Cooper, Rand, Little, Davis, and Cochrane:

S.B. 1129, a bill to implement the recommendation of the School Capital Construction Study Commission to authorize the issuance of general obligation bonds of the State, subject to a vote of the qualified voters of the State, to provide funds for grants to counties for public school capital outlay projects, in order to promote equity in local school facilities across the State and to enable local governments to give local property tax relief.

Referred to **Education/Higher Education Committee** and upon a favorable report, re–referred to the **Finance Committee.**

By Senator Parnell:

S.B. 1130, a bill to appropriate funds to the Town of Maxton for planning costs related to the restoration of the Patterson Building, an historic flatiron structure located in the Town of Maxton.

Referred to **Appropriations Committee**.

By Senator Parnell:

S.B. 1131, a bill to authorize the Town of Maxton to convey certain property at private sale to the Historic Preservation Foundation of North Carolina, Inc., a nonprofit corporation.

Referred to **Local Government and Regional Affairs Committee**.

By Senator Parnell:

S.B. 1132, a bill to extend the Study Commission on the Department of Crime Control and Public Safety.

Referred to **Rules and Operation of the Senate Committee.**

By Senators Hobbs, Winner, Edwards, Lucas, Odom, Gulley, Cooper, Rand, Dannelly, Speed, Perdue, Warren, Kerr, Hoyle, Little, Foxx, and Davis:

S.B. 1133, a bill to implement the recommendation of the School Capital Construction Study Commission to establish the School Facilities Trust Fund to provide funds for grants to counties for public school capital outlay projects, in order to promote equity in local school facilities across the State and to reduce the pressure on the local property tax.

Referred to **Education/Higher Education Committee.**

By Senators Hobbs, Winner, Conder, Edwards, McDaniel, Plexico, Lucas, Speed, Gulley, Odom, Rand, Perdue, Dannelly, Warren, Kerr, Cochrane, Foxx, Davis, Little, and Hoyle.

S.B. 1134, a bill to implement the recommendation of the School Capital Construction Study Commission to clarify that the State Board of Education is to establish school facilities guidelines, to direct the State Board of Education to establish a central clearinghouse for prototype designs of school facilities, to direct the State Board of Education to establish the School Facilities Task Force, and to make an appropriation to implement this Act.

Referred to **Education/Higher Education Committee** and upon a favorable report, re–referred to the **Appropriations Committee.**

By Senators Hobbs, Winner, Conder, Edwards, McDaniel, Plexico, Lucas, Speed, Odom, Dannelly, Gulley, Rand, Perdue, Little, Davis, and Cochrane:

S.B. 1135, a bill to implement the recommendation of the School Capital Construction Study Commission to direct the State Board of Education and the Local Government Commission to modify their accounting and reporting systems to allow tracking of local expenditures in schools' capital outlay funds, to direct the State Board of Education to develop a uniform system for schools to develop five–year capital needs plans, and to amend the School Budget and Fiscal Control Act.

Referred to **Education/Higher Education Committee.**

By Senators Hobbs, Winner, Conder, Edwards, McDaniel, Plexico, Lucas, Odom, Gulley, Dannelly, Speed, Rand, Perdue, Little, Davis, and Foxx:

S.B. 1136, a bill to implement the recommendation of the School Capital Construction Study Commission to make permanent the requirement that counties use part of the two half–cent local sales tax proceeds only for public school buildings.

Referred to **Finance Committee.**

By Senators Hobbs, Conder, Edwards, Lucas, Gulley, Parnell, Speed, Rand, Dannelly, Cochrane, Little, and Davis:

S.B. 1137, a bill to implement the recommendation of the School Capital Construction Study Commission to allow Alamance, Alexander, Anson, Beaufort, Bertie, Buncombe, Burke, Caldwell, Camden, Caswell, Catawba, Chatham,

Cherokee, Clay, Cleveland, Craven, Cumberland, Dare, Davidson, Davie, Durham, Gaston, Gates, Graham, Granville, Guilford, Henderson, Hertford, Hoke, Hyde, Jones, Lenoir, Lincoln, Martin, McDowell, Mecklenburg, Mitchell, Montgomery, New Hanover, Northampton, Onslow, Pamlico, Perquimans, Person, Pitt, Polk, Robeson, Rockingham, Rutherford, Stokes, Surry, Swain, Transylvania, Tyrrell, Vance, Warren, Washington, Wayne, Wilkes, Wilson, Yadkin, and Yancey Counties to acquire property for use by their county boards of education.

Referred to **Education/Higher Education Committee**.

By Senators Winner, Dannelly, Hartsell, Hobbs, Lucas, Perdue, Plexico, Simpson, Odom, Little, and Foxx:

S.B. 1138, a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to implement the State Board of Education's recommendation to establish a commission to review and revise the public school laws.

Referred to **Rules and Operation of the Senate Committee**.

By Senators Winner, Dannelly, Hartsell, Hobbs, Lucas, Perdue, Plexico, Simpson, Conder, Odom, Gulley, Little, Davis, Cooper, and Kerr:

S.B. 1139, a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to implement the State Board of Education's ABC's plan in order to establish an accountability model for the public schools to improve student performance and increase local flexibility and control, to make conforming changes, and to make an appropriation.

Referred to **Education/Higher Education Committee** and upon a favorable report, re–referred to the **Appropriations Committee.**

On motion of Senator Basnight, seconded by Senator Martin of Guilford, the Senate adjourns at 1:56 P.M. to meet tomorrow, Wednesday, May 15, at 1:30 P.M.

ONE HUNDRED TWELFTH DAY

SENATE CHAMBER
Wednesday, May 15, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

Lifting from the Jewish Midrash, he states:

"A wise old Rabbi named Eliezer told the Biblical story this way. 'God said to Moses: Moses My children are in distress. The sea forms a sandbar in front of you and the Egyptians pursue. Yet you stand and say long prayers! Why do you

cry unto Me?' Rabbi Eliezer would then say there is a time to be brief in prayer and a time to be lengthy."

Mr. Morris then offers the following prayer:

"Lord, teach us when to cease praying just with words and when to let the very living of life be itself a prayer offered to You.

"Then we shall understand what the Apostle Paul meant when he said, 'pray without ceasing.'"

With unanimous consent, the President grants a leave of absence for today to Senator Cooper.

Senator Basnight, President *Pro Tempore,* announces the Journal of yesterday, Tuesday, May 14, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Charles Boyette of Belhaven, who is serving the Senate as Doctor of the Day.

COMMITTEE REFERRAL RECALL

S.J.R. 1099, a joint resolution honoring the life and memory of Nancy Winbon Chase, former State Legislator, referred to **Rules and Operation of the Senate Committee** on June 29, 1995.

Pursuant to Rule 47(b), Senator Rand offers a motion the joint resolution be taken from the **Rules and Operation of the Senate Committee** and placed on the Calendar for Monday, May 20, which motions prevail with unanimous consent.

The Chair orders the joint resolution recalled from the **Rules and Operation of the Senate Committee** and places it on the Calendar for Monday, May 20, for consideration upon its passage.

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Plexico for the **Education/Higher Education Committee**:

S.B. 1118, a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to change the name of Pembroke State University to the University of North Carolina at Pembroke, with a favorable report.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Soles, Conder, and Perdue:

S.B. 1140, a bill to develop a proposal for a reserve fund to pay catastrophic losses as recommended by the Legislative Research Commission's Committee on Insurance and Insurance-Related Issues.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

By Senators Soles and Conder:

S.B. 1141, a bill to revise the definition of nonfleet motor vehicle to allow flexibility for the number of automobiles that may be written under a personal automobile insurance policy as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

By Senators Soles and Conder:

S.B. 1142, a bill to amend the Medicare supplement insurance laws to comply with the federal Social Security amendments of 1994 as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

By Senators Soles and Conder:

S.B. 1143, a bill to provide that insurers are not required to obtain written consent to rate on each policy renewal as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

By Senators Soles, Conder, and Perdue:

S.B. 1144, a bill to revise the participation formula of the North Carolina Insurance Underwriting Association as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

By Senators Soles and Conder:

S.B. 1145, a bill to provide that uninsured and underinsured motorist coverage may be limited or excluded under excess or umbrella policies as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

By Senators Soles and Conder:

S.B. 1146, a bill to repeal the law prohibiting licensed reinsurers from assuming reinsurance from nonadmitted insurers as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

By Senators Soles and Conder:

S.B. 1147, a bill to provide for more effective financial supervision, rehabilitation, and liquidation procedures for continuing care retirement centers and to provide that continuing care agreements are subordinate to the cost of administration in liquidation as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

By Senators Soles, Conder, and Perdue:

S.B. 1148, a bill to provide additional coverage under the North Carolina Beach Plan as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

By Senators Soles and Conder:

S.B. 1149, a bill to conform the law governing small employer health benefit plans to 1995 legislation as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

By Senators Soles and Conder:

S.B. 1150, a bill to conform the law governing setoffs with the law governing the recovery of premiums owed insurers as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

By Senators Soles and Conder:

S.B. 1151, a bill to lessen the requirement of insurance companies to maintain trust accounts or obtain letters of credit or guaranty bonds as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

By Senator Parnell:

S.B. 1152, a bill to appropriate funds to the North Carolina Cancer Institute, Inc., a nonprofit corporation, for the construction of a new skilled nursing facility in Robeson County.

Referred to **Appropriations Committee.**

By Senator Parnell:

S.B. 1153, a bill to provide staggered terms for members of the Board of Commissioners of the Town of Lumber Bridge and provide a four–year term for the Mayor.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Parnell:

S.B. 1154, a bill to grant authority to the City of Lumberton to address abandoned structures in in the same manner as municipalities in counties with a population of over one hundred sixty–three thousand.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Kerr:

S.B. 1155, a bill to change the requirement for hospital reimbursement in workers' compensation cases.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

By Senators Kerr and Carpenter:

S.B. 1156, a bill to appropriate funds to the Department of Revenue so that North Carolina may facilitate the withholding of State income taxes from federal pension checks for retirees who request withholding.

Referred to **Finance Committee** and upon a favorable report, re–referred to the **Appropriations Committee.**

By Senator Kerr:

S.B. 1157, a bill to make technical corrections in the 1995 workers' compensation insurance loss costs rating laws.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

By Senators Kerr and Carpenter:

S.B. 1158, a bill to conform the penalty for workers' compensation fraud to the penalty for insurance fraud and to raise the penalties for certain other workers' compensation offenses from Class 1 misdemeanors to Class H felonies.

Referred to **Judiciary II/Election Laws Committee**.

By Senators Ballance and Kerr:

S.B. 1159, a bill to remove language requiring an attorney's opinion and written statement in appeals by indigents from the Industrial Commission to the North Carolina Court of Appeals.

Referred to **Judiciary II/Election Laws Committee**.

By Senators Ballance, Kerr, and Parnell:

S.B. 1160, a bill to remove the requirement for workers' compensation coverage for subcontractors with no employees.

Referred to **Judiciary II/Election Laws Committee**.

By Senators Plexico, Dannelly, Hartsell, Hobbs, Lucas, Perdue, Winner, and Foxx:

S.B. 1161, a bill to implement the recommendation of the Joint Legislative Education oversight Committee to implement and monitor the plan for the transfer of credits between North Carolina institutions of higher education.

Referred to **Education/Higher Education Committee**.

By Senator Sherron:

S.B. 1162, a bill to appropriate funds to enhance State government access to all phases of the administrative rule–making process.

Referred to **Appropriations Committee**.

By Senators Warren, Albertson, Hoyle, Conder, Martin of Pitt, and Sherron:

S.B. 1163, a bill to implement a recommendation of the Legislative Research Commission's Financial Institutions Issues Committee to amend the North Carolina Reciprocal Interstate Banking Act.

Referred to **Commerce Committee**.

By Senators Warren, Conder, Albertson, Speed, Hoyle, Martin of Pitt, and Sherron:

S.B. 1164, a bill to appropriate funds to the Board of Governors of the University of North Carolina to complete the expansion of the Dowdy–Ficklen Stadium at East Carolina University.

Referred to **Appropriations Committee**.

By Senators Kerr, Hoyle, Gulley, Horton, Martin of Pitt, Rand, Smith, and Speed:

S.B. 1165, a bill to allow counties to electronically remove a vehicle registration tax block upon full payment of property taxes.

Referred to **Finance Committee**.

By Senators Kerr, Warren, Hoyle, Cooper, Rand, Albertson, Odom, Speed, Kincaid, Martin of Pitt, Plyler, Conder, Carpenter, and Perdue:

S.B. 1166, a bill to appropriate funds for workers' compensation for volunteer fire department and rescue/EM workers.

Referred to **Appropriations Committee**.

By Senators Odom, Parnell, Gulley, Martin of Pitt, Perdue, Kerr, Plyler, Sherron, Rand, Lucas, Speed, Albertson, Edwards, Dannelly, Conder, Plexico, Hobbs, Winner, Cooper, Soles, and Warren:

S.B. 1167, a bill to amend the sex offender registration law to clarify that persons convicted of sex offenses in federal court are required to register.

Referred to **Judiciary I/Constitution Committee.**

By Senators Odom, Plexico, Perdue, Gulley, Martin of Pitt, Martin of Guilford, Sherron, Rand, Ballance, Plyler, Lucas, Speed, Albertson, Edwards, Dannelly, Conder, Hobbs, Winner, Parnell, Cooper, Soles, and Warren:

S.B. 1168, a bill to appropriate funds for domestic violence prevention and programs.

Referred to **Appropriations Committee.**

By Senators Rand and Edwards:

S.B. 1169, a bill to allow the Cumberland County Board of Education to permit the use of public school buses to serve the transportation needs of the National Forensics League Tournament.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Soles:

S.B. 1170, a bill to provide for lien rights for persons who fabricate dies, molds, forms, or patterns and who fabricate products from dies, molds, forms, or patterns.

Referred to **Judiciary I/Constitution Committee.**

By Senator Foxx:

S.B. 1171, a bill to allow Surry County to acquire property for use by its County Board of Education.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Foxx and East:

S.B. 1172, a bill to authorize the Rockingham Board of Equalization and Review to meet after its formal adjournment.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Foxx and East:

S.B. 1173, a bill to permit the local board of education in Alleghany County to schedule longer school days so as to offset days lost due to inclement weather.

Referred to **Education/Higher Education Committee.**

By Senators Foxx and East:

S.B. 1174, a bill to allow Rockingham County to acquire property for use by its county board of education and to clarify the filing date for members of the Rockingham County Consolidated Board of Education.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Speed, Kincaid, McDaniel, Martin of Pitt, Soles, McKoy, Kerr, and Foxx:

S.B. 1175, a bill to provide that no State rule regulating drinking water standards and testing may be more restrictive than the federal law.

Referred to **Judiciary II/Election Laws Committee.**

By Senators Little and Hobbs:

S.B. 1176, a bill to modify the requirements for making street assessments in Foxfire Villages under certain circumstances.

Referred to **Finance Committee.**

By Senators Cochrane, Carpenter, Speed, and Dannelly:

S.B. 1177, a bill to appropriate funds to the Alzheimer's Associations.

Referred to **Appropriations Committee.**

By Senators Cochrane, Cooper, Kerr, Soles, and Carpenter:

S.B. 1178, a bill to make technical and conforming changes to the revenue laws and related statutes.

Referred to **Finance Committee.**

By Senators Kerr, Cochrane, Cooper, Soles, and Carpenter:

S.B. 1179, a bill to provide a grace period for military personnel to list and pay property taxes after deployment in connection with Operation Joint Endeavor.

Referred to **Finance Committee.**

By Senators Kerr, Cochrane, Cooper, Soles, and Carpenter:

S.B. 1180, a bill to require local governments to account for 911 surcharges in their annual financial statements.

Referred to **Finance Committee.**

By Senators Hoyle, Gulley, Horton, Kerr, Martin of Pitt, Rand, Smith, and Speed:

S.B. 1181, a bill to allow utility poles carried on side–loaders to extend more than three feet beyond the front bumper of the vehicle.

Referred to **Transportation Committee.**

By Senators Hoyle and Martin of Pitt:

S.B. 1182, a bill to enforce economy and State printing costs and to promote opportunities for increased privatization of printing.

Referred to **Commerce Committee.**

By Senators Hoyle and Martin of Pitt:

S.B. 1183, a bill regarding the jurisdiction of the Utilities Commission with regard to the resale of water or sewer service in apartments, condominiums, and similar places as recommended by the Joint Legislative Utility Review Committee.

Referred to **Commerce Committee.**

By Senators Hartsell, Odom, Carrington, and Foxx:

S.B. 1184, a bill to change the laws governing annexation by cities with a population of less than five thousand.

Referred to **Judiciary II/Election Laws Committee.**

By Senators Hartsell, Odom, Carrington, and Foxx:

S.B. 1185, a bill to change the laws governing annexation by cities with a population of five thousand or more.

Referred to **Judiciary II/Election Laws Committee.**

By Senators Hartsell, Odom, and Carrington:

S.B. 1186, a bill to amend Chapter 40A governing condemnation to authorize award of attorneys' fees, and introduction of any evidence of property value.

Referred to **Judiciary II/Election Laws Committee.**

By Senators Hartsell, Odom, and Carrington:

S.B. 1187, a bill to require first–class mail notice of all property owners in an area proposed for addition to a municipality's extraterritorial planning and zoning jurisdiction, proportional representation for residents of the ETJ on the planning agency, and a hearing before county appointment of representation to the planning agency.

Referred to **Judiciary II/Election Laws Committee.**

By Senators Albertson, Warren, Speed, Kerr, and Dannelly:

S.B. 1188, a bill to establish the offenses of trespass on pine straw production land and larceny of pine straw.

Referred to **Judiciary I/Constitution Committee.**

By Senator Albertson:

S.B. 1189, a bill to allow Jones County to acquire property for use by its County Board of Education.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Albertson:

S.B. 1190, a bill to extend the extraterritorial planning jurisdiction of the Town of Wallace.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Albertson, Perdue, and Shaw:

S.B. 1191, a bill to remove the expiration date on the endorsement to sell program set forth in Chapter 516 of the 1993 Session Laws.

Referred to **Agriculture/Environment/Natural Resources Committee.**

By Senators Albertson, Perdue, and Shaw:

S.B. 1192, a bill to appropriate funds to the Department of Environment, Health, and Natural Resources for the shellfish sanitation branch in the environmental health section of the Division of Health.

Referred to **Appropriations Committee.**

By Senators Albertson, Perdue, and Shaw:

S.B. 1193, a bill to clarify the date of the Moratorium Steering Committee's final report and to extend the date that the Joint Legislative Commission on Seafood and Aquaculture is required to report.

Referred to **Agriculture/Environment/Natural Resources Committee.**

By Senators Albertson, Perdue, Shaw:

S.B. 1194, a bill recommended by the Joint Legislative Commission on Seafood and Aquaculture to allow employees on shellfish leases and franchises to work without possessing an individual shellfish license.

Referred to **Agriculture/Environment/Natural Resources Committee.**

By Senators Albertson, Perdue, and Shaw:

S.B. 1195, a bill to coordinate the Fishery Resource Grant Program in the North Carolina Sea Grant College Program at the University of North Carolina.

Referred to **Appropriations Committee**.

By Senator Soles:

S.B. 1196, a bill to provide liens on real property for the furnishing of rental equipment.

Referred to **Judiciary I/Constitution Committee**.

By Senators Winner, Dannelly, Carpenter, Martin of Pitt, Lucas, Conder, and Martin of Guilford:

S.B. 1197, a bill recommended by the Mental Health Study Commission to ensure area authority financial stability and delivery of adequate services to clients.

Referred to **Children and Human Resources Committee.**

By Senators Kerr, Cochrane, Cooper, Soles, and Carpenter:

S.B. 1198, a bill to clarify the requirements concerning imports and exports of motor fuel under the "tax at the rack" laws and to make other adjustments to those laws.

Referred to **Finance Committee**.

COMMITTEE REFERRAL RECALL

S.B. 1128, a bill to establish the Clean Water Management Trust Fund and a board of trustees to administer the Fund, to provide tax credits for certain efforts to clean up or prevent surface water pollution, and to provide that a certain percentage of General Fund reversions shall be appropriated to fund the Clean Water Management Trust Fund, referred to the **Finance Committee** on May 14.

Pursuant to Rule 47(b), Senator Kerr offers a motion the bill be taken from the **Finance Committee** and re–referred to the **Agriculture/Environment/Natural Resources Committee**, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Finance Committee** and re–refers the measure to the **Agriculture/Environment/Natural Resources Committee**.

On motion of Senator Basnight, seconded by Senator Jordan, the Senate adjourns at 2:04 P.M. to meet Thursday, May 16, at 12:00 Noon.

ONE HUNDRED THIRTEENTH DAY

SENATE CHAMBER
Thursday, May 16, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Lord, we confess that our world has become too small, our imaginations too confined. Often with family, friends, even our vocations, we expect to have happen today that which happened yesterday. Forgive us when we plod along—searching for sameness rather than surprise.

"Today, give us the joy which comes when Your Spirit breathes into our lives—disrupting, intruding, bringing life.

"Enable us to see that everything in this world is not of our own devising because You are free to create, to change, and to move! Do so among us today. Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Dannelly to attend a funeral.

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Wednesday, May 15, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Loretta S. Stenzel of Durham, who is serving the Senate as Doctor of the Day.

INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Smith, Blackmon, and Cochrane:

S.B. 1199, a bill to appropriate funds to the State Highway Patrol for a new troop and district headquarters building.

Referred to **Appropriations Committee.**

By Senators Edwards and Rand:

S.B. 1200, a bill to appropriate funds to the Board of Governors of the University of North Carolina for the construction of a fine arts building at Fayetteville State University.

Referred to **Appropriations Committee.**

By Senator Parnell:

S.B. 1201, a bill to permit the Lumberton Firemen's Supplementary Pension Fund to increase the monthly benefits to its members.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

By Senators East and Foxx:

S.B. 1202, a bill to include Alleghany County and Surry County among those counties that require consent of the board of county commissioners before land may be condemned or acquired by a unit of local government outside the county.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Hoyle and Martin of Pitt:

S.B. 1203, a bill to allow the City of Bessemer City to convey certain described property at private sale.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Martin of Pitt, Rand, Hoyle, Albertson, Warren, Kerr, and Dannelly:
S.B. 1204, a bill to increase the monthly pension payments for qualified firemen and eligible rescue squad workers.
Referred to **Pensions and Retirement/Insurance/State Personnel Committee**.

By Senator Martin of Pitt:
S.B. 1205, a bill to provide that the Department of Cultural Resources shall study the historic significance of the Princeville Cemetery and to appropriate funds for the study.
Referred to **Rules and Operation of the Senate Committee** and upon a favorable report, re-referred to the **Appropriations Committee.**

By Senators Gulley and Lucas:
S.B. 1206, a bill to create the Butner Advisory Council and to enumerate its duties.
Referred to **Appropriations Committee**.

By Senators Winner, Dannelly, Hartsell, Hobbs, Lucas, Perdue, Plexico, and Simpson:
S.B. 1207, a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to improve the program and services for gifted students.
Referred to **Education/Higher Education Committee**.

By Senators Odom, Winner, Blackmon, and Dannelly:
S.B. 1208, a bill to appropriate funds for the expansion of services at Summit House.
Referred to **Appropriations Committee**.

By Senators Warren, Lucas, Carpenter, Conder, Albertson, Edwards, Rand, Martin of Pitt, Martin of Guilford, Gulley, Sherron, Dannelly, and Blackmon.
S.B. 1209, a bill to implement a recommendation of the Legislative Research Commission's Financial Institutions Issues Committee to authorize state-chartered banks, savings and loan associations, and savings banks to observe holidays as determined by their boards of directors.
Referred to **Commerce Committee**.

By Senators Horton, McDaniel, Speed, Cochrane, Lucas, Ballance, Smith, Soles, Foxx, Shaw, McKoy, Clark, Ledbetter, Blust, Odom, Hobbs, Jordan, Plexico, East, Martin of Pitt, Hoyle, Davis, Rand, Warren, Martin of Guilford, Basnight, Kerr, and Little:
S.J.R. 1210, a joint resolution honoring the memory of James Gordon Hanes, Jr., former State Senator and industrialist.
Referred to **Rules and Operation of the Senate Committee**.

By Senators Horton, McDaniel, Speed, Cochrane, Lucas, Ballance, Smith, Soles, Foxx, Shaw, McKoy, Clark, Ledbetter, Blust, Odom, Hobbs, Jordan, Plexico, East, Martin of Pitt, Hoyle, Warren, Davis, Rand, Martin of Guilford, Basnight, Kerr, and Little:
S.J.R. 1211, a joint resolution honoring the life and memory of Governor John Motley Morehead on the Two Hundredth Anniversary of his birth.
Referred to **Rules and Operation of the Senate Committee**.

APPOINTMENTS BY THE GOVERNOR

The Chair directs the Reading Clerk to read:

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603–8001

JAMES B. HUNT JR.
GOVERNOR

May 14, 1996

The Honorable Dennis Wicker
President of the Senate
2104 Legislative Building
Raleigh, NC 27601

Dear Lt. Gov. Wicker:

Pursuant to General Statute 106–2, I hereby appoint Roger Oxendine to the North Carolina State Board of Agriculture and submit his name for the advice and consent of the North Carolina Senate. Mr. Oxendine will fulfill the unexpired term of the late Sam McLawhorn. His term will expire May 1, 2001.

We have attached biographical information on Mr. Oxendine. Please feel free to contact him or my staff if you need additional information. I appreciate your prompt consideration of his nomination.

My warmest personal regards.

Sincerely,
S/James B. Hunt Jr.

Referred to **Agriculture/Environment/Natural Resources Committee**.

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603–8001

JAMES B. HUNT JR.
GOVERNOR

May 14, 1996

The Honorable Dennis Wicker
President of the Senate
2104 Legislative Building
Raleigh, NC 27601

Dear Lt. Gov. Wicker:

Pursuant to General Statute 135–6, I hereby appoint the following members to the Board of Trustees of the Teachers' and State Employees' Retirement System and submit their names for confirmation by the North Carolina Senate.

Carol–Ann Tucker, Pitt County
– representative of higher education – to fill an unexpired term to expire on June 30, 1997

Sgt. Michael L. Dupree, Granville County
– representative of state law enforcement – to fill an unexpired term to expire on March 31, 1997

Kevin G. Harris, Nash County
– representative of the public – full term to expire on March 31, 2000

Paschal W. "Pat" Swann, Forsyth County
– representative of the public – full term to expire on March 31, 2000

S. Leigh Wilson, Wake County
– representative of the public – reappointment to a full term to expire on March 31, 2000

We have attached biographical information on each member. Please feel free to contact them or my staff if you need additional information.

I appreciate your prompt consideration of these nominees.

My warmest personal regards.

Sincerely,
S/James B. Hunt Jr.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

CALENDAR

A bill on the Calendar is taken up and disposed of, as follows:

S.B. 1118, a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to change the name of Pembroke State University to the University of North Carolina at Pembroke.

The bill passes its second (47–0) and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

WITHDRAWAL FROM CALENDAR

S.J.R. 1099, a joint resolution honoring the life and memory of Nancy Winbon Chase, former State Legislator, on the Calendar for May 20.

Senator Rand offers a motion the joint resolution be taken from the Calendar for May 20 and placed on the Calendar for Monday, May 27, which motions prevail with unanimous consent.

The Chair orders the joint resolution taken from the Calendar for May 20 and places it on the Calendar for Monday, May 27, for consideration upon its passage.

On motion of Senator Basnight, seconded by Senator Shaw, the Senate adjourns at 12:26 P.M. to meet Monday, May 20, at 7:00 P.M.

ONE HUNDRED FOURTEENTH DAY

SENATE CHAMBER
Monday, May 20, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Our Heavenly Father, as the Senate begins a new week, may all who work here do so with a renewed sense of freshness and energy.

"We are a blessed community here. Remind us in the midst of our prosperity that all good gifts come from You. They are Yours to give but not ours to keep.

"So let us be human instruments for the fulfillment of Your Purpose in this world—giving out of our own prosperity the best of our service and influence in order to benefit others. Amen."

With unanimous consent, the President grants a leave of absence for tonight to Senator Hobbs.

COURTESIES

The Sergeant–at–Arms announces the presence of Jeff Gordon, 1995 NASCAR Champion, and Rick Hendrick at the doors of the Chamber who await the pleasure of the Senate.

The President recognizes Senator Basnight, President *Pro Tempore*, who appoints Senator Plyler of Union, Senator Odom of Mecklenburg, Senator Dannelly of Mecklenburg, Senator Winner of Mecklenburg, Senator Hartsell of Cabarrus, Senator Kerr of Wayne, Senator Blackmon of Mecklenburg, and Senator Conder of Richmond to escort Jeff Gordon and Rick Hendrick to the Well of the Senate who are received with a standing ovation.

Senator Odom introduces Jeff Gordon, 1995 NASCAR Champion, to the President of the Senate and Senators. The President acknowledges the accomplishments of Mr. Gordon and congratulates him. The President recognizes Mr. Gordon who offers brief remarks.

The President presents a Certificate of Acknowledgment and Congratulations from the Senate to Jeff Gordon in recognition of his achievement in winning the 1995 NASCAR Championship.

The President introduces Rick Hendrick to the Members acknowledging his contributions to this State and congratulates him. The President recognizes Mr. Hendrick who offers brief remarks to the Senate.

The President presents a Certificate of Acknowledgment and Congratulations from the Senate to Rick Hendrick in recognition of his achievement in winning the 1995 NASCAR Championship.

The Senate acknowledges the guests with a standing ovation. The President extends courtesies of the gallery to Brooke Gordon, wife of Jeff Gordon; Linda, Lynn, and Ricky Hendrick, family of Rick Hendrick; and to the wife of the

Lieutenant Governor, Alisa Wicker. The President recognizes the committee to escort the guests from the Chamber.

Senator Basnight, President *Pro Tempore,* announces the Journal of Thursday, May 16, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Thomas B. Dameron of Raleigh, who is serving the Senate as Doctor of the Day.

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Albertson for the **Agriculture/Environment/Natural Resources Committee**:

S.B. 1128, a bill to establish the Clean Water Management Trust Fund and a board of trustees to administer the Fund, to provide tax credits for certain efforts to clean up or prevent surface water pollution, and to provide that a certain percentage of General Fund reversions shall be appropriated fund the Clean Water Management Trust Fund, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Albertson, the proposed Committee Substitute bill 5699 is placed before the Senate for immediate consideration, and on his further motion is adopted.

Pursuant to Rule 43, the Committee Substitute bill is re–referred to the **Finance Committee**.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Hartsell:

S.B. 1212, a bill to appropriate funds to the Cabarrus County Mediation Center, Inc., a nonprofit organization, for operating expenses.

Referred to **Appropriations Committee**.

By Senators Ledbetter and Carpenter:

S.B. 1213, a bill to allow cancellation by exhibition of a note secured by a deed of trust or mortgage in Buncombe County regardless of the date of endorsement.

Referred to **Local Government and Regional Affairs Committee**.

By Senators Ballance, Blackmon, Ballantine, Lucas, Carrington, Foxx, McDaniel, Page, Parnell, Sherron, Edwards, Hartsell, Perdue, Hoyle, and Gulley:

S.B. 1214, a bill to make it a Class F felony offense to assault a law enforcement officer and inflict serious bodily injury and to create a new criminal offense of assaulting a firefighter as recommended by the Legislative Research Commission's Study Committee on Criminal Laws, Procedures, and Sentencing.

Referred to **Judiciary II/Election Laws Committee**.

By Senators Plyler, Conder, and Smith:
S.B. 1215, a bill to appropriate funds to the Stanly County Airport Authority for airport expansion.
Referred to **Appropriations Committee**.

By Senator Martin of Pitt:
S.B. 1216, a bill to extend the Beaver Damage Control Program and to add Martin County to that Program.
Referred to **Appropriations Committee**.

By Senators Albertson, Parnell, Perdue, Carpenter, Kerr, Hoyle, Soles, Speed, Jordan, Conder, Rand, Horton, Martin of Pitt, and Warren:
S.B. 1217, a bill to implement recommendations of the Blue Ribbon Study Commission on Agricultural Waste.
Referred to **Agriculture/Environment/Natural Resources Committee** and upon a favorable report, re–referred to the **Finance Committee**.

By Senators Jordan, Albertson, and Ballantine:
S.B. 1218, a bill to authorize the Pender County Board of Education to convey certain property at private sale to the Maple Hill Civic Club, Inc., a nonprofit corporation.
Referred to **Local Government and Regional Affairs Committee**.

By Senators Albertson, Parnell, Soles, Carpenter, Kerr, Hoyle, Perdue, Speed, Jordan, Rand, Horton, Martin of Pitt, Conder, and Warren:
S.B. 1219, a bill to appropriate funds to support certain recommendations of the Blue Ribbon Study on Agricultural Waste.
Referred to **Appropriations Committee**.

By Senator Davis:
S.B. 1220, a bill to repeal the local pay date for the Kings Mountain schools.
Referred to **Education/Higher Education Committee**.

ADDITIONAL ENDORSEMENT

Senator Plexico requests to be recorded endorsing a bill previously introduced:
S.B. 1166, a bill to appropriate funds for workers' compensation for volunteer fire department and rescue/EMS workers.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages and special messages are received from the House of Representatives transmitting bills which are read the first time and disposed of, as follows:

H.B. 1072, a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to change the name of Pembroke State University to the University of North Carolina at Pembroke.
Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

H.B. 1074, a bill to prohibit the issuance of new shellfish cultivation leases in Core Banks, to establish a moratorium on shellfish leases in the remaining area in Carteret County, and to require that the Joint Legislative Commission on Seafood and Aquaculture study the shellfish lease program.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

H.B. 1078, a bill to clarify the date of the Moratorium Steering Committee's final report and to extend the date that the Joint Legislative Commission on Seafood and Aquaculture is required to report.

Referred to **Agriculture/Environment/Natural Resources Committee**.

H.B. 1079, a bill to phase out over four years the four percent State sales tax on food and reduce the size of State government by authorizing the Governor to freeze hiring for State employees other than education, public safety, public health, and other appropriate positions.

Referred to **Finance Committee**.

H.B. 1088, a bill to change the requirement for hospital reimbursement in workers' compensation cases.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee**.

The Chair extends courtesies of the floor to William W. Staton, former Senator from Lee County.

The President recognizes the following pages serving in the Senate this week:

Douglas Kevin Alligood, Belhaven; Tyler Dale Ashworth, Raleigh; Toni Michelle Brown, Dallas; Emily Eileen Carter, Chapel Hill; Justin David Cashion, Highlands; Jason Lee Coleman, Delco; Rebecca Conner, Buxton; Abby Crouch, Gastonia; Jamie Lynn Daniels, Columbia; Hollis Dickens, Raleigh; Cheryl Elmstrom, Salvo; Keshia DeVon Elston, Zebulon; Sammy Stephen Evans II, Beulaville; Barney Daniel Grady, Kenansville; Tonya L. Hair, Nashville; Sarah Elizabeth Kinsey, Cary; Richard Bennett Knight III, Rural Hall; Mary Elizabeth Moore, Stoneville; Alvin John Quarles, Raleigh; Scott Patterson Snow, Rural Hall; Amanda L. Teague, Hickory; and Adam Christian Wiggins, Whittier.

On motion of Senator Basnight, seconded by Senator Perdue, the Senate adjourns at 7:51 P.M. to meet tomorrow, Tuesday, May 21, at 1:30 P.M.

ONE HUNDRED FIFTEENTH DAY

SENATE CHAMBER
Tuesday, May 21, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"O Lord, it seems we live a lot of our days preoccupied with what has happened in the past or what might happen in the future.

"Perspective, attitude, the ability to live life with fullness in the present is enhanced and encouraged when we remember that what lies behind and before us are small matters compared to what lies within us.

"The Psalmist knew the truth of that when he wrote, 'create in me a clean heart, O God, and renew a right spirit within me.' Amen."

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Monday, May 20, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. James N. Thompson, Dean of the Bowman Gray School of Medicine in Winston–Salem, who is serving the Senate as Doctor of the Day.

INTRODUCTION OF BILLS AND A RESOLUTION

Bills and a resolution filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators McDaniel and Cochrane:

S.B. 1221, a bill relating to sales of seized, unclaimed property by the City of Winston–Salem.

Referred to **Local Government and Regional Affairs Committee**.

By Senators McDaniel and Cochrane:

S.B. 1222, a bill amending the Charter of the City of Winston–Salem relating to the sale of property.

Referred to **Local Government and Regional Affairs Committee**.

By Senators McDaniel and Cochrane:

S.B. 1223, a bill relating to the daily deposit of collections and receipts by the City of Winston–Salem.

Referred to **Local Government and Regional Affairs Committee**.

By Senator Perdue:

S.B. 1224, a bill to appropriate funds to the Department of Administration, North Carolina Council for Women, for domestic violence, rape crisis, and child victim assistance programs.

Referred to **Appropriations Committee**.

By Senator Conder:

S.B. 1225, a bill to appropriate funds for the installation of nonpressurized dry fire hydrants in rural areas of the State.

Referred to **Appropriations Committee**.

By Senators Kerr, Cochrane, Cooper, Soles, and Hoyle:

S.B. 1226, a bill to provide tax reform and tax relief for the citizens of North Carolina.

Referred to **Finance Committee.**

By Senators Gulley and Lucas:

S.J.R. 1227, a joint resolution honoring John Carteret, Earl of Granville, for whom Granville County was named upon the occasion of the Two Hundred Fiftieth Anniversary of Granville County.

Referred to **Rules and Operation of the Senate Committee.**

By Senators Gulley, Ballantine, Rand, and Cooper:

S.B. 1228, a bill to allow community penalties programs to obtain criminal record checks of targeted offenders.

Referred to **Judiciary II/Election Laws Committee** and upon a favorable report, re–referred to the **Finance Committee.**

By Senators Gulley, Ballantine, and Rand:

S.B. 1229, a bill to increase the amount that may be in controversy in district and superior civil courts and to make corresponding changes to the Rules of Civil Procedure and nonbinding arbitration.

Referred to **Judiciary II/Election Laws Committee.**

By Senators Gulley and Hoyle:

S.B. 1230, a bill to expedite disposal of unclaimed vehicles by towing and storage businesses.

Referred to **Judiciary II/Election Laws Committee.**

By Senators Rand and Gulley:

S.B. 1231, a bill to add clerks of court to the Sentencing and Policy Advisory Commission, the Criminal Justice Advisory Board, and the Governor's Crime Commission.

Referred to **Appropriations Committee.**

By Senators Rand and Gulley:

S.B. 1232, a bill to appropriate funds for the creation of the Civil Procedure Study Commission.

Referred to **Appropriations Committee.**

By Senators Rand and Gulley:

S.B. 1233, a bill to appropriate funds for the creation of the Criminal Procedure Study Commission.

Referred to **Appropriations Committee.**

By Senators Odom Plexico, Plyler, Blackmon, Ballantine, Hoyle, Speed, Conder, Ballance, Albertson, Warren, Soles, Perdue, and Smith:

S.B. 1234, a bill to refund the unconstitutional intangibles tax paid on stock for the past two years.

Referred to **Finance Committee** and upon a favorable report, re–referred to the **Appropriations Committee.**

By Senators Odom, Ballantine, Gulley, and Rand:

S.B. 1235, a bill to authorize clerks to allocate spouse's and children's year's allowance from a decedent's estate.

Referred to **Judiciary II/Election Laws Committee** and upon a favorable report, re–referred to the **Finance Committee.**

By Senators Martin of Guilford, Allran, Cooper, Martin of Pitt, and Winner:

S.B. 1236, a bill recommended by the Child Fatality Task Force to require all State agencies that deal with child health and welfare to report data collection to the Child Fatality Task Force.

Referred to **Children and Human Resources Committee.**

By Senators Martin of Guilford, Allran, Cooper, Martin of Pitt, and Winner:

S.B. 1237, a bill recommended by the Child Fatality Task Force to broaden the access to confidential records for the purposes of child fatality review and prevention.

Referred to **Judiciary I/Constitution Committee.**

By Senators Cooper, Martin of Guilford, Hartsell, and Forrester:

S.B. 1238, a bill to promote efficiency and effectiveness in the local public health delivery system by appropriating funds to the Department of Environment, Health, and Natural Resources to create incentives for small county health departments to form district health departments.

Referred to **Appropriations Committee.**

By Senators Cooper and Forrester:

S.B. 1239, a bill to exempt from sales and use tax free samples of prescription drugs distributed by the manufacturer.

Referred to **Finance Committee.**

By Senators Winner, Carpenter, Conder, Lucas, Martin of Guilford, Martin of Pitt, Gulley, and Dannelly:

S.B. 1240, a bill to appropriate funds for Mental Health, Developmental Disabilities, and Substance Abuse Services, as requested by Coalition 2001.

Referred to **Appropriations Committee.**

By Senators Winner, Allran, Cooper, Martin of Guilford, Martin of Pitt, and Gulley:

S.B. 1241, a bill recommended by the Child Fatality Task Force to improve the definition of "dependent juvenile."

Referred to **Judiciary I/Constitution Committee.**

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages are received from the House of Representatives transmitting bills which are read the first time and disposed of, as follows:

H.B. 1075 (Committee Substitute), a bill to remove the expiration date on the Endorsement to Sell Program set forth in Chapter 515 of the 1993 Session Laws.

Referred to **Agriculture/Environment/Natural Resources Committee.**

H.B. 1077 (Committee Substitute), a bill recommended by the Joint Legislative Commission on Seafood and Aquaculture to allow employees on shellfish leases and franchises to work without possessing an individual shellfish license.

Referred to **Agriculture/Environment/Natural Resources Committee**.

H.B. 1086 (Committee Substitute), a bill to make technical corrections in the 1995 workers' compensation insurance loss costs rating laws.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee**.

REPORT OF COMMITTEE

A standing committee report is submitted out of the regular order of business, a bill is read by its title, together with the report accompanying it and takes its place on the Calendar, as follows:

By Senator Plexico for the **Education/Higher Education Committee**:

S.B. 1139, a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to implement the State Board of Education's ABC's plan in order to establish an accountability model for the public schools to improve student performance and increase local flexibility and control, to make conforming changes, and to make an appropriation, with an unfavorable report as to a bill, but favorable as to Committee Substitute bill.

On motion of Senator Plexico, the proposed Committee Substitute bill 8702 is placed before the Senate for immediate consideration, and on his further motion is adopted.

Pursuant to Rule 43, the Committee Substitute bill is re–referred to the **Appropriations Committee**.

On motion of Senator Soles, Deputy President *Pro Tempore*, seconded by Senator Dannelly, the Senate adjourns at 2:04 P.M. to meet tomorrow, Wednesday, May 22, at 1:30 P.M.

ONE HUNDRED SIXTEENTH DAY

SENATE CHAMBER
Wednesday, May 22, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Dear Lord, a proud and pretentious person once exclaimed, 'before I die, I mean to make a pilgrimage to the Holy Land. I will climb Mount Sinai and read the Ten Commandments aloud at the top.'

"'I have a better idea,' replied Mark Twain who was standing within earshot, 'You can stay home and practice keeping the Commandments.'

"Help us to know what being righteous is all about—that is to do justice, to love kindness, and to walk humbly with You, O God. Amen"

Senator Soles, Deputy President *Pro Tempore*, announces the Journal of yesterday, Tuesday, May 21, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. James Forrester, Jr. of Stanley, who is serving the Senate as Doctor of the Day. Dr. Forrester is the son of Senator Forrester of Gaston County.

REPORT OF COMMITTEE

Bills are reported from a standing committee, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Soles for the **Pensions and Retirement/Insurance/State Personnel Committee**:

H.B. 1088, a bill to change the requirement for hospital reimbursement in workers' compensation cases, with a favorable report.

S.B. 1127, a bill to provide postretirement increases in the benefits of retirees and other beneficiaries of the Teachers' and State Employees' Retirement System, the Consolidated Judicial Retirement System, the Legislative Retirement System, and the Local Governmental Employees' Retirement System, with a favorable report.

Pursuant to Rule 43, the bill is re-referred to the **Appropriations Committee.**

S.B. 1150, a bill to conform the law governing setoffs with the law governing the recovery of premiums owed insurers as recommended by the Legislative Research Commission's Committee on Insurance and Insurance-Related Issues, with a favorable report.

S.B. 1151, a bill to lessen the requirement of insurance companies to maintain trust accounts or obtain letters of credit or guaranty bonds as recommended by the Legislative Research Commission's Committee on Insurance and Insurance-Related Issues, with a favorable report.

S.B. 1155, a bill to change the requirement for hospital reimbursement in workers' compensation cases, with a favorable report.

S.B. 1201, a bill to permit the Lumberton Firemen's Supplementary Pension Fund to increase the monthly benefits to its members, with a favorable report.

S.B. 1204, a bill to increase the monthly pension payments for qualified firemen and eligible rescue squad workers, with a favorable report.

On motion of Senator Rand, the bill is re-referred to the **Appropriations Committee.**

RECALL FROM CLERK'S OFFICE

H.B. 1074, a bill to prohibit the issuance of new shellfish cultivation leases in Core Banks, to establish a moratorium on shellfish leases in the remaining area in Carteret County, and to require that the Joint Legislative Commission on Seafood and Aquaculture study the shellfish lease program, ordered held in the Office of the Principal Clerk on May 20.

Senator Albertson offers a motion the rules be suspended to the end the bill be taken from the Office of the Principal Clerk and placed before the Senate for immediate consideration upon its passage, which motions prevail with unanimous consent.

The Chair recalls the bill from the Principal Clerk's Office.

REPORT OF COMMITTEE *(Continued)*

By Senator Sherron for the **Finance Committee**:

S.B. 1128 (Committee Substitute), a bill to establish the Clean Water Management Trust Fund and a board of trustees to administer the Fund, to provide tax credits for certain efforts to clean up or prevent surface water pollution, and to provide that a certain percentage of General Fund reversions shall be appropriated to fund the Clean Water Management Trust Fund, with a favorable report, as amended.

Pursuant to Rule 45.1, the Committee Substitute bill is placed before the Senate for immediate consideration and Committee Amendment No. 1 is adopted.

On motion of Senator Sherron, the Chair orders, with unanimous consent, the rules suspended and the Committee Substitute bill, as amended, re–referred to the **Appropriations Committee**, without engrossment.

RECALL FROM CLERK'S OFFICE *(Continued)*

H.B. 1074, a bill to prohibit the issuance of new shellfish cultivation leases in Core Banks, to establish a moratorium on shellfish leases in the remaining area in Carteret County, and to require that the Joint Legislative Commission on Seafood and Aquaculture study the shellfish lease program, ordered recalled earlier from the Office of the Principal Clerk.

The Principal Clerk presents the bill to the President of the Senate who places it before the Senate for immediate consideration upon its passage.

The bill passes its second (50–0) and third readings and is ordered enrolled.

REPORT OF COMMITTEE *(Continued)*

By Senator Perdue for the **Appropriations Committee**:

S.B. 1139 (Committee Substitute), a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to implement the State Board of Education's ABC's plan in order to establish an accountability model for the public schools to improve student performance and increase local flexibility and control, to make conforming changes, and to make an appropriation, with a favorable report, as amended.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Carpenter and Foxx:
S.B. 1242, a bill to repeal the motor vehicle safety inspection.
Referred to **Judiciary II/Election Laws Committee**.

By Senator Allran:
S.B. 1243, a bill to establish a no–wake zone on a portion of Lake Hickory.
Referred to **Local Government and Regional Affairs Committee**.

By Senator Albertson:
S.B. 1244, a bill to grant the Town of Wallace a temporary exemption from the total amount of noncontiguous territory that may be annexed.
Referred to **Local Government and Regional Affairs Committee**.

By Senator Albertson:
S.B. 1245, a bill concerning the definition of subdivision for the Town of Rose Hill.
Referred to **Local Government and Regional Affairs Committee**.

By Senator Hartsell:
S.B. 1246, a bill to repeal a section of the Charter of the Town of Landis relating to ABC in conflict with general law.
Referred to **Local Government and Regional Affairs Committee**.

By Senator Kerr:
S.B. 1247, a bill to appropriate funds to the Rural Economic Development Center, Inc., to extend sewer lines to northern Wayne County.
Referred to **Appropriations Committee**.

By Senator Rand:
S.B. 1248, a bill to appoint persons to various public offices upon the recommendation of the President *Pro Tempore* of the Senate.
Referred to **Rules and Operation of the Senate Committee**.

By Senator Rand:
S.B. 1249, a bill to appoint persons to various public offices upon the recommendation of the President *Pro Tempore* of the Senate.
Referred to **Rules and Operation of the Senate Committee**.

By Senators Horton, Hoyle, Kerr, Martin of Pitt, Rand, Smith, and Carpenter:
S.B. 1250, a bill to require all vehicle registration offices of the Division of Motor Vehicles to be operated by a contract agent.
Referred to **Transportation Committee**.

By Senators Martin of Pitt, Hoyle, Albertson, Perdue, and Kerr:
S.B. 1251, a bill to appropriate funds to the Department of Environment, Health, and Natural Resources for the Adopt–A–Trails Program.
Referred to **Appropriations Committee**.

By Senators Kincaid, Kerr, Warren, and Soles:

S.B. 1252, a bill to make technical corrections in the 1995 workers' compensation insurance loss costs rating laws.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee**.

By Senators Kincaid, Kerr, Warren, Soles, and Carpenter:

S.B. 1253, a bill to conform the penalty for workers' compensation fraud to the penalty for insurance fraud and to raise the penalties for certain other workers' compensation offenses from Class 1 misdemeanors to Class H felonies.

Referred to **Judiciary II/Election Laws Committee**.

By Senators Sherron, Plyler, Parnell, Speed, Gulley, Ballance, Blackmon, Conder, Plexico, Hobbs, and Warren:

S.B. 1254, a bill to provide coverage for acupuncture services under the North Carolina Teachers' and State Employees' Comprehensive Major Medical Plan.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee**.

By Senators Hoyle and Carpenter:

S.B. 1255, a bill to transfer the Rail Safety Section from the Utilities Commission to the Department of Transportation and to direct the Secretary of Transportation to study the need for continuation of the Rail Safety Inspection Program.

Referred to **Transportation Committee**.

By Senators Hoyle and Carpenter:

S.B. 1256, a bill to enact the Overhead High–Voltage Line Safety Act as recommended by the Joint Legislative Utility Review Committee.

Referred to **Commerce Committee**.

By Senators Plyler, Martin of Pitt, Martin of Guilford, Odom, Rand, Ballance, Warren, and Perdue:

S.B. 1257, a bill to make conforming changes to implement budget adjustments and allocations.

Referred to **Judiciary II/Election Laws Committee**.

By Senator Plyler:

S.B. 1258, a bill to appropriate funds to the Museum of the New South, Inc., a nonprofit corporation, for capital improvements.

Referred to **Appropriations Committee**.

By Senators Plyler, Martin of Pitt, Martin of Guilford, Odom, Rand, Perdue, Warren, and Ballance:

S.B. 1259, a bill to make certain changes in the Constitution for implementing budget adjustments and allocations.

Referred to **Judiciary I/Constitution Committee**.

By Senators Ballantine, Rand, and Gulley:

S.B. 1260, a bill to raise the foreclosure filing fees.

Referred to **Finance Committee**.

By Senators Ballantine, McDaniel, and Page:

S.B. 1261, a bill to provide for an indefinite civil suspension of a drivers license when a driver is charged with an impaired driving offense while another impaired driving offense is pending disposition.

Referred to **Judiciary I/Constitution Committee**.

By Senators Ballantine, McDaniel, Blackmon, Carrington, Hoyle, and Horton:

S.B. 1262, a bill to exempt from sales tax audiovisual master tapes used in the motion picture, television, and audio production industries.

Referred to **Finance Committee**.

By Senator Ballance:

S.B. 1263, a bill to prohibit hunting from the right–of–way of public roads in Northampton County.

Referred to **Judiciary II/Election Laws Committee**.

By Senator Ballance:

S.B. 1264, a bill to appropriate funds for the Roanoke–Chowan Narcotics Task Force.

Referred to **Appropriations Committee**.

REPORT TO GENERAL ASSEMBLY

A Commission directed to report to the General Assembly submits a report (*see Addendum*) which is ordered placed on file in the Legislative Library, as follows:

Pursuant to G.S. 143–577, the North Carolina Child Fatality Task Force submits its report "Our Children, Our Future, Our Responsibility."

On motion of Senator Soles, Deputy President *Pro Tempore*, seconded by Senator McDaniel, the Senate adjourns at 1:56 P.M. to meet tomorrow, Thursday, May 23, at 10:00 A.M.

ONE HUNDRED SEVENTEENTH DAY

SENATE CHAMBER
Thursday, May 23, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Our Father, as we come before You today, we would not weary You with our constant petitions.

"All of us would admit that there are some days our work loads seem insurmountable and we would like our calendars to be less full.

"Today, though, we thank You for the lessons to be learned and for the work to be done. By Your Grace, may we apply ourselves wholeheartedly to both.

"For we can do all things through You who strengthens us! Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Edwards, to Senator Gulley who is out of the State, and to Senator Warren who is attending the Governor's press conference on the Global TransPark.

Senator Soles, Deputy President *Pro Tempore*, announces the Journal of yesterday, Wednesday, May 22, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Nady Cates of Durham, who is serving the Senate as Doctor of the Day.

ENROLLED BILL

The Enrolling Clerk reports the following bill properly enrolled and it is duly ratified and sent to the Office of the Secretary of State:

H.B. 1074, an act to prohibit the issuance of new shellfish cultivation leases in Core Banks, to establish a moratorium on shellfish leases in the remaining area in Carteret County, and to require that the Joint Legislative Commission on Seafood and Aquaculture study the shellfish lease program. (Ch. 547)

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Soles:

S.B. 1265, a bill to appropriate funds for the North Carolina Future Farmers of America Center.

Referred to **Appropriations Committee**.

By Senators Warren and Martin of Pitt:

S.B. 1266, a bill to allow Pitt County to acquire property for use by its County Board of Education.

Referred to **Local Government and Regional Affairs Committee**.

By Senator Ballantine:

S.B. 1267, a bill to add New Hanover County to those counties in which a tenant's refusal to perform a contract for the rental of land is grounds for dispossession.

Referred to **Local Government and Regional Affairs Committee**.

By Senator Ballantine:

S.B. 1268, a bill to allow New Hanover County to acquire property for use by its County Board of Education.

Referred to **Local Government and Regional Affairs Committee**.

By Senator Soles:

S.B. 1269, a bill to appropriate funds to the Department of Community Colleges for the Bladen Center for Swine Management, Meat Processing, and Environmental Protection at the Bladen Community College.

Referred to **Appropriations Committee**.

By Senators Hoyle and Kerr:

S.B. 1270, a bill to authorize the Department of Transportation to establish speed limits up to seventy miles per hour on designated parts of controlled access highways.

Referred to **Transportation Committee**.

By Senators Hoyle and Plexico:

S.B. 1271, a bill to reduce the corporate income tax from seven and three-fourths percent to six and three-fourths percent over a four-year period.

Referred to **Finance Committee**.

By Senators Hoyle, Rand, Cooper, Martin of Pitt, Ballance, Forrester, Carpenter, East, Davis, Page, Smith, Warren, McKoy, Plyler, Ledbetter, Speed, Kincaid, Cochrane, Ballantine, McDaniel, Hartsell, Horton, Simpson, Edwards, Allran, Conder, Albertson, Sherron, Little, Soles, Perdue, Carrington, Clark, Plexico, Gulley, and Hobbs:

S.B. 1272, a bill to modify the sales and use tax treatment of cellular telephones and other items sold in connection with commercial mobile radio service.

Referred to **Finance Committee**.

By Senators Hoyle and Carpenter:

S.B. 1273, a bill to implement the recommendations of the performance audit of the Division of Motor Vehicles of the Department of Transportation.

Referred to **Transportation Committee**.

By Senators Horton, Odom, Plexico, Blackmon, Perdue, and Cooper:

S.B. 1274, a bill to appropriate funds for the Recycling Business Assistance Center within the Department of Environment, Health, and Natural Resources, as recommended by the Environmental Review Commission.

Referred to **Appropriations Committee**.

By Senators Kerr, Gulley, Hoyle, Martin of Pitt, Jordan, Martin of Guilford, Warren, Albertson, Rand, Forrester, Conder, Parnell, Soles, Blackmon, Odom, Plexico, Hobbs, McDaniel, Ballantine, Allran, and Plyler:

S.B. 1275, a bill to provide incentives for high quality jobs and business expansion in North Carolina.

Referred to **Finance Committee**.

By Senators Kerr, Conder, Cooper, Hartsell, Hobbs, Little, Rand, Simpson, Odom, Plexico, and McKoy:

S.B. 1276, a bill to appropriate funds for capital improvements at the Institute of Government.

Referred to **Appropriations Committee**.

By Senator Kerr:

S.B. 1277, a bill to authorize the continued operation of certain unlined municipal solid waste landfills, as recommended by the Joint Legislative Administrative Procedure Oversight Committee.

Referred to **Agriculture/Environment/Natural Resources Committee**.

By Senators Jordan, Albertson, and Ballantine:

S.B. 1278, a bill to allow the City of Jacksonville to require sidewalk improvements through the site plan review process under the authority of the city zoning ordinance.

Referred to **Local Government and Regional Affairs Committee**.

By Senators Jordan and Albertson:

S.B. 1279, a bill to extend the Beaver Damage Control Program and to add Jones County to that Program.

Referred to **Local Government and Regional Affairs Committee**.

By Senators Martin of Pitt, Cooper, and Speed:

S.B. 1280, a bill to permit one–stop voting on direct record voting equipment in Wilson County.

Referred to **Local Government and Regional Affairs Committee**.

By Senators Martin of Pitt, Albertson, Odom, and Speed:

S.B. 1281, a bill to increase uniform jail fees and make those fees mandatory as part of all sentences unless the judge orders otherwise.

Referred to **Finance Committee**.

By Senators Martin of Pitt and Warren:

S.B. 1282, a bill to allow Martin County to acquire property for use by its County Board of Education.

Referred to **Local Government and Regional Affairs Committee**.

By Senators Martin of Pitt and Warren:

S.B. 1283, a bill to appropriate funds to the Department of Environment, Health, and Natural Resources, Division of Forest Resources, to provide an assistant county ranger in Pitt County.

Referred to **Appropriations Committee**.

By Senators Plyler, Hoyle, Ballantine, Odom, Kincaid, Conder, Rand, Kerr, Perdue, Sherron, Parnell, Hobbs, Jordan, Cooper and Warren:

S.B. 1284, a bill to modify the State ports tax credit by expanding it to include forest products.

Referred to **Finance Committee**.

By Senators Blackmon, Horton, Plexico, Albertson, Odom, and Carpenter:

S.B. 1285, a bill to increase the maximum fees that the Environmental Management Commission may charge for permits and compliance monitoring under the Water Quality Program and to increase the maximum percentage of the total budgets of certain environmental programs that may be derived from fees from thirty to fifty percent, as recommended by the Environmental Review Commission.

Referred to **Finance Committee**.

By Senators Blackmon, Horton, Plexico, Albertson, Odom, Cooper, and Carpenter:

S.B. 1286, a bill to expand the membership of the Forestry Council of the Department of Environment, Health, and Natural Resources and redefine its responsibilities, as recommended by the Environmental Review Commission.

Referred to **Agriculture/Environment/Natural Resources Committee.**

By Senators Winner, Dannelly, Blackmon, and Odom:

S.B. 1287, a bill to appropriate funds to establish a Legislative Research Commission Study on improving the Small Cities Block Grant Program.

Referred to **Appropriations Committee.**

By Senators Winner, Allran, Cooper, Martin of Guilford, and Martin of Pitt:

S.B. 1288, a bill recommended by the Child Fatality Task Force to extend the Task Force until 1999.

Referred to **Rules and Operation of the Senate Committee.**

By Senators Gulley, Warren, Perdue, Hartsell, Plexico, Little, and Carpenter:

S.B. 1289, a bill to appropriate funds to assist approved charter schools to meet their start–up costs.

Referred to **Appropriations Committee.**

By Senators Gulley, East, and Lucas:

S.B. 1290, a bill to appropriate funds to the Granville County Board of County Commissioners for construction of a new cemetery in Butner.

Referred to **Appropriations Committee.**

By Senators Gulley and Cooper:

S.B. 1291, a bill to reclassify or change the penalties for various criminal offenses as recommended by the North Carolina Sentencing and Policy Advisory Commission.

Referred to **Judiciary II/Election Laws Committee.**

By Senator Gulley:

S.B. 1292, a bill to clarify the maximum period of time a juvenile may be committed in accordance with the Structured Sentencing Act as recommended by the Sentencing and Policy Advisory Commission.

Referred to **Judiciary II/Election Laws Committee.**

By Senators Gulley and Cooper:

S.B. 1293, a bill to include prior impaired driving convictions in felony prior record level calculation as recommended by the North Carolina Sentencing and Policy Advisory Commission.

Referred to **Judiciary II/Election Laws Committee.**

By Senators Gulley, Hoyle, Horton, Kerr, Martin of Pitt, Rand, Smith, and Speed:

S.B. 1294, a bill to conform the motor vehicle laws to the federal deregulation of trucking and to make technical changes to the motor vehicle laws.

Referred to **Transportation Committee.**

By Senators Odom, Speed, Parnell, Ballance, Sherron, Simpson, East, and Winner:

S.B. 1295, a bill to clarify eligibility under the Salary Continuation Plan for employees of the Department of Correction.

Referred to **Judiciary I/Constitution Committee**.

By Senators Odom, Speed, Parnell, Winner, Plexico, Simpson, East, Ballance, and Shaw:

S.B. 1296, a bill to extend the regular period of post–release supervision from six to nine months, to extend the period of post–release supervision to five years for sex offenders and to provide for special conditions of post–release supervision for sex offenders and persons convicted of offenses involving physical, mental, or sexual abuse of minors

Referred to **Judiciary I/Constitution Committee**.

By Senators Odom, Speed, Parnell, Winner, Plexico, Simpson, East, Ballance, and Shaw:

S.B. 1297, a bill to provide for mandatory conditions of probation for sex offenders and persons convicted of offenses involving physical, mental, or sexual abuse of children.

Referred to **Judiciary I/Constitution Committee**.

By Senators Odom, Conder, Plyler, Hobbs, Jordan, Blackmon, Horton, Winner, Dannelly, Plexico, and Hartsell:

S.B. 1298, a bill to change the civil penalties that may be assessed against certain license holders for emissions inspections based on whether the vehicle was intentionally improperly passed inspection and to change the provisions regarding the suspension or revocation of licenses to provide for notice and hearing, as recommended by the Environmental Review Commission.

Referred to **Transportation Committee**.

By Senators Plexico, Ballantine, Hoyle, Jordan, Hobbs, Blackmon, Winner, Conder, Edwards, Rand, Sherron, Hartsell, Cooper, Davis, and Martin of Pitt:

S.B. 1299, a bill to establish the Wetlands Restoration Program and Fund and to appropriate funds to implement the Program.

Referred to **Appropriations Committee**.

By Senators Plexico, Winner, Hobbs, Hoyle, Conder, Jordan, Edwards, Rand, Sherron, Cooper, Davis, Hartsell, and Martin of Pitt:

S.B. 1300, a bill to appropriate funds for the public schools.

Referred to **Appropriations Committee**.

By Senators Hartsell, Plexico, and Martin of Pitt:

S.B. 1301, a bill to make various technical amendments to the General Statutes as recommended by the General Statutes Commission.

Referred to **Judiciary II/Election Laws Committee**.

By Senators Forrester, East, Davis, Conder, Cochrane, Clark, Smith, Ledbetter, Blust, McDaniel, Ballantine, Webster, Allran, Carpenter, Page, McKoy, Speed, Hoyle, Horton, Kincaid, Kerr, and Blackmon:

S.B. 1302, a bill to provide that marriages contracted outside of this State between persons of the same gender are not valid in Iredell County.

Referred to **Local Government and Regional Affairs Committee**.

By Senators Forrester, Perdue, Parnell, and Carpenter:

S.B. 1303, a bill to authorize medical savings account plans the contributions to which are deductible from State taxes under certain circumstances.

Referred to **Finance Committee.**

COURTESIES

The Sergeant–at–Arms announces visiting dignitaries from the Belarusian Supreme Soviet are at the door and await the pleasure of the Senate.

With unanimous consent, on motion of Senator Rand, privileges of the floor are extended and the President recognizes Senator Basnight, President *Pro Tempore*, who appoints Senator Horton of Forsyth, Senator Lucas of Durham, Senator Hobbs of Moore, Senator Hartsell of Cabarrus, Senator Forrester of Gaston, Senator Cochrane of Davie, and Senator Rand of Cumberland to escort the dignitaries from the Belarusian Supreme Soviet to the Well of the Senate. The guests are received with a standing ovation.

Senator Rand presents the Honorable Semyon Georgivich Sharetsky, Speaker of the Supreme Soviet of Belarus to the President of the Senate who recognizes the Speaker to address the Senate. Through an interpreter, he cites their difficulties establishing a democracy, the continuing effects of the Chernobal disaster to liquidate, and entering the international market as problems facing this new country. The Members respond to his remarks with a standing ovation.

The President of the Senate directs welcoming remarks to Speaker Sharetsky and presents him with a North Carolina State Flag. Speaker Sharetsky thanks the President and Senators, and presents the Senate with a gift of a straw doll, approximately eight inches tall depicting traditional Russian dress. The President accepts the gift on behalf of the Senate and recognizes the committee to escort the guests from the Chamber who depart to a standing ovation.

CALENDAR

Bills on the Calendar are taken up and disposed of, as follows:

S.B. 1201, a bill to permit the Lumberton Firemen's Supplementary Pension Fund to increase the monthly benefits to its members.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1139 (Committee Substitute), a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to implement the State Board of Education's ABC's plan in order to establish an accountability model for the public schools to improve student performance and increase local flexibility and control, to make conforming changes, and to make an appropriation.

With unanimous consent, on motion of Senator Winner, consideration of the Committee Substitute bill is postponed until the last order of business.

REPORT OF COMMITTEE

A standing committee report is submitted out of the regular order of business, bills are read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Sherron for the **Finance Committee**:

S.B. 1179, a bill to provide a grace period for military personnel to list and pay property taxes after deployment in connection with Operation Joint Endeavor, with a favorable report.

S.B. 1180, a bill to require local governments to account for 911 surcharges in their annual financial statements, with a favorable report.

S.B. 1107, a bill to appropriate funds to the Department of Revenue so that North Carolina may facilitate the withholding of State income taxes from federal pension checks for retirees who request withholding, with a favorable report, as amended.

Pursuant to Rule 45.1, the bill is placed before the Senate for immediate consideration and Committee Amendment No. 1 is adopted.

The Chair orders the bill, as amended, engrossed and re–referred to the **Appropriations Committee**.

S.B. 250, a bill to provide federal retirees refunds in five annual installments, without interest, for income tax paid on their retirement benefits for tax years 1985 through 1988, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Sherron, the proposed Committee Substitute bill 6661, which changes the title to read **S.B. 250** (Committee Substitute), a bill to provide Federal retirees tax credits and partial refunds to reimburse them for North Carolina income tax they paid on their retirement benefits for tax years 1985 through 1988, is placed before the Senate for immediate consideration, and on his further motion is adopted.

Pursuant to Rule 43, the Committee Substitute bill is re–referred to the **Appropriations Committee**.

The Chair recognizes Senator Rand who offers a motion to suspend the rules to the end the bill filing deadline as set by Resolution 15, Section 1(3) be extended until May 28 at 4:00 P.M. due to computer malfunction. The Chair takes the motion under advisement.

Upon the appearance of Senator Warren in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

CALENDAR *(Continued)*

S.B. 1150, a bill to conform the law governing setoffs with the law governing the recovery of premiums owed insurers as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

The bill passes its second (47–0) and third readings and is ordered sent to the House of Representatives.

S.B. 1151, a bill to lessen the requirement of insurance companies to maintain trust accounts or obtain letters of credit or guaranty bonds as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

With unanimous consent, on motion of Senator Soles, consideration of the bill is postponed until Tuesday, May 28.

S.B. 1155, a bill to change the requirement for hospital reimbursement in workers' compensation cases.

With unanimous consent, on motion of Senator Kerr, the Chair orders, the bill temporarily displaced.

H.B. 1088, a bill to change the requirement for hospital reimbursement in workers' compensation cases.

The bill passes its second (48–0) and third readings and is ordered enrolled.

S.B. 1155, a bill to change the requirement for hospital reimbursement in workers' compensation cases, temporarily displaced earlier.

With unanimous consent, on motion of Senator Kerr, further consideration of the bill is postponed until Thursday, May 30.

S.B. 1139 (Committee Substitute), a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to implement the State Board of Education's ABC's plan in order to establish an accountability model for the public schools to improve student performance and increase local flexibility and control, to make conforming changes, and to make an appropriation.

On motion of Senator Perdue, Committee Amendment No. 1 is adopted.

Senator Little offers Amendment No. 2 which is adopted (46–0).

The Committee Substitute bill, as amended, passes its second reading (48–0).

Senator Shaw objects to the third reading of the measure. Pursuant to Rule 50, the Chair orders the measure placed on the Calendar for Monday, May 27, for further consideration upon third reading.

MOTION UNDER ADVISEMENT

With no amendment to Resolution 15 extending the bill filing deadline, after conferring with the President of the Senate, Senator Rand withdraws his motion to suspend the rules.

On motion of Senator Basnight, seconded by all Members present, the Senate adjourns at 11:50 A.M. in honor and respect for those who gave the supreme sacrifice in defending our Country, and our people, and our principles and to all who have served in the United Forces of our Country to meet on Memorial Day, Monday, May 27, at 7:00 P.M.

ONE HUNDRED EIGHTEENTH DAY

SENATE CHAMBER
Monday, May 27, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, quoting Cartherine Parmenter and Arthur Ashe, as follows:

Under the crosses white on a foreign meadow
mute they are lying who marched in the spring–sweet sun.
Nothing is here of the life, the joy, the loving,
before a war was won.

"Today in the Senate, O Lord, we honor in memory those who died while serving our Country during wartime.

"They taught us that 'True heroism is remarkably sober—most times very undramatic. It is not the urge to surpass all others at whatever the cost, but the urge to serve others at whatever cost.'

"They served us well. It is in their memory and to Your Glory we pray. Amen."

With unanimous consent, the President grants a leave of absence for tonight to Senator Hobbs.

Senator Basnight, President *Pro Tempore*, announces the Journal of Thursday, May 23, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Milton D. Quigless, Jr. of Raleigh, who is serving the Senate as Doctor of the Day.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Winner for the **Education/Higher Education Committee**:

S.B. 1161, a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to implement and monitor the plan for the transfer of credits between North Carolina institutions of higher education, with a favorable report.

S.B. 1114, a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to change the composition of the Professional Teaching Standards Commission so that teachers have a majority, to expand the authority of the Professional Teaching Standards Commission, and to establish a Professional Practices Board, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Winner, the proposed Committee Substitute bill 2719 is placed before the Senate for immediate consideration, and on her further motion is adopted.

With unanimous consent, the Committee Substitute bill is re–referred to the **Appropriations Committee**.

By Senator Sherron for the **Finance Committee**:

S.B. 1165, a bill to allow counties to electronically remove a vehicle registration tax block upon full payment of property taxes, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Sherron, the rules are suspended, and the proposed Committee Substitute bill 1806, which changes the title to read, **S.B. 1165** (Committee Substitute), a bill to allow counties to remove vehicle registration tax block upon full payment of property taxes, is placed before the Senate for immediate consideration.

On motion of Senator Sherron, the Committee Substitute bill is adopted, and on his further motion the Committee Substitute bill is placed on the Calendar for tomorrow, May 28, for further consideration.

ADDITIONAL ENDORSEMENTS

The following Senators request to be recorded endorsing a bill previously introduced:

Senators Odom, Blackmon, Dannelly, and Winner:

S.B. 1258, a bill to appropriate funds to the Museum of the New South, Inc., a nonprofit corporation, for capital improvements.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Cochrane, East, Davis, Webster, Carpenter, Ledbetter, Clark, Hartsell, Simpson, Blust, Horton, McDaniel, Carrington, Ballantine, Foxx, Smith, Allran, Page, Forrester, Shaw, Little, and Plexico:

S.B. 1304, a bill to phase out over four years the four percent State sales tax on food and reduce the size of State government by authorizing the Governor to freeze hiring for State employees other than education, public safety, public health, and other appropriate positions.

Referred to **Finance Committee**.

By Senators Speed, Odom, Parnell, Ballance, Plexico, Sherron, Winner, Soles, Cooper, Dannelly, Smith, Warren, Gulley, Albertson, Kerr, Martin of Pitt, Carpenter, McDaniel, Forrester, Lucas, Perdue, Conder, Rand, Shaw, Simpson, Martin of Guilford, Davis, Kincaid, and Plyler:

S.B. 1305, a bill to authorize the Department of Correction to reimburse local confinement facilities for the expenses of maintaining inmates pending transfer to the State prison system.

Referred to **Appropriations Committee**.

By Senators Speed, Cooper, Warren, Martin of Pitt, Ballantine, Albertson, and Simpson:

S.B. 1306, a bill to appropriate funds to the Department of Agriculture for control of the sweet potato weevil.

Referred to **Appropriations Committee**.

By Senators Speed, Cooper, and Martin of Pitt:

S.B. 1307, a bill to allow Wilson County to acquire property for use by its County Board of Education.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Blackmon:

S.B. 1308, a bill to authorize administrative search warrants to be served at hours other than between 8:00 A.M. and 8:00 P.M. when there is probable cause to believe that the activity that justifies the administrative search warrant will occur at other hours, as recommended by the Environmental Review Commission.

Referred to **Judiciary I/Constitution Committee.**

By Senators Cooper, Gulley, Perdue, Martin of Pitt, Albertson, Hoyle, Rand, Kerr, Winner, Dannelly, Martin of Guilford, Conder, Plyler, Odom, Warren, Plexico, Sherron, Hobbs, and Speed:

S.B. 1309, a bill to create a new felony offense of assault inflicting serious bodily injury as recommended by the North Carolina Sentencing and Policy Advisory Commission.

Referred to **Judiciary I/Constitution Committee.**

By Senators Cooper, Odom, Perdue, and Martin of Pitt:

S.B. 1310, a bill to appropriate funds to continue the technical assistance, training, and public awareness programs under the Mining Act of 1971 and the Sedimentation Pollution Control Act of 1973, as recommended by the Environmental Review Commission.

Referred to **Appropriations Committee.**

By Senators Cooper and Perdue:

S.B. 1311, a bill to appropriate funds to provide diagnostic and treatment services for children with craniofacial anomalies including cleft lip/palate.

Referred to **Appropriations Committee.**

By Senators Cooper and Hartsell:

S.B. 1312, a bill to authorize the establishment of local public health authorities, as recommended by the North Carolina Public Health Commission.

Referred to **Children and Human Resources Committee.**

By Senator Ballantine:

S.B. 1313, a bill to incorporate the Town of Castle Hayne, subject to a referendum.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Horton, Odom, Plexico, Blackmon, and Cooper:

S.B. 1314, a bill to improve water quality by establishing a goal to reduce the average load of nitrogen delivered to the Neuse River Estuary from point and nonpoint sources by thirty percent of the average annual load for the period 1991 through 1995 by the year 2001 and to require the Environmental Management Commission to develop a plan to achieve this goal, as recommended by the Environmental Review Commission.

Referred to **Agriculture/Environment/Natural Resources Committee.**

By Senator Perdue:

S.B. 1315, a bill to appropriate funds to the Department of Agriculture for the purchase of the Town Creek Property Site for the expansion of the North Carolina Maritime Museum.

Referred to **Appropriations Committee**.

By Senator Rand:

S.B. 1316, a bill to appoint persons to various public offices upon the recommendation of the President of the Senate.

Referred to **Rules and Operation of the Senate Committee**.

By Senators Blackmon, Kerr, Odom, Albertson, Horton, Plexico, Cooper, and Smith:

S.B. 1317, a bill to provide for the continued solvency of the Commercial Leaking Petroleum Underground Storage Tank Cleanup Fund and to make other changes to the Leaking Petroleum Underground Storage Tank Cleanup Program, as recommended by the Environmental Review Commission.

Referred to **Finance Committee**.

By Senators Horton, Odom, Plexico, Blackmon, and Cooper:

S.B. 1318, a bill to establish a nonregulatory program to protect water quality and to create the Riparian Buffer Facilitation and Assistance Grant Fund to sustain water quality in the State through cooperative methods, as recommended by the Environmental Review Commission.

Referred to **Agriculture/Environment/Natural Resources Committee**.

By Senator Foxx:

S.B. 1319, a bill to allow the City of Reidsville to delay the effective date of annexations as to a specified tract and to exempt the annexation of Two City Lakes from the ceiling on satellite annexations.

Referred to **Local Government and Regional Affairs Committee**.

By Senator Conder:

S.B. 1320, a bill to establish a Citizen Water Quality Monitoring Program in the Department of Environment, Health, and Natural Resources.

Referred to **Appropriations Committee**.

By Senator Conder:

S.B. 1321, a bill concerning Hinson Lake Dam in the City of Rockingham.

Referred to **Local Government and Regional Affairs Committee**.

By Senators Sherron, Foxx, Blackmon, McKoy, Webster, Kerr, Hoyle, Martin of Pitt, Albertson, Rand, Warren, Perdue, Cochrane, Plyler, Parnell, Smith, and Ballance:

S.B. 1322, a bill to require the State Building Code Council to submit proposed amendments to the Residential Building Code to the Rules Review Commission for approval and to subject the amendments approved by the Rules Review Commission to legislative disapproval.

Referred to **Judiciary I/Constitution Committee**.

By Senators Sherron, McDaniel, Foxx, McKoy, Blackmon, Webster, Kerr, Hoyle, Martin of Pitt, Albertson, Warren, Cochrane, Parnell, Smith, Plyler, and Ballance:

S.B. 1323, a bill to specifically disapprove proposed administrative rules by the North Carolina Substance Abuse Professionals Certification Board that have been approved by the Rules Review Commission.

Referred to **Judiciary I/Constitution Committee**.

By Senators Sherron, McDaniel, Foxx, McKoy, Blackmon, Webster, Kerr, Hoyle, Martin of Pitt, Albertson, Warren, Rand, Cochrane, Parnell, Ballance, Smith, and Plyler:

S.B. 1324, a bill to make changes in the Administrative Procedure Act, to make changes in various laws granting the power to adopt rules, and to clarify the requirements concerning certain removals of underground storage tanks, as recommended by the Administrative Procedure Oversight Committee.

Referred to **Finance Committee**.

By Senator Hoyle:

S.B. 1325, a bill to provide for legislative confirmation of certain executive appointments and to change the composition, appointments, and terms of various boards, commissions, and authorities within State government.

Referred to **Rules and Operation of the Senate Committee**.

By Senators Rand, Winner, Martin of Guilford, Perdue, Hoyle, Cooper, Warren, Martin of Pitt, Albertson, Dannelly, Plyler, Conder, Plexico, Jordan, Hobbs, Odom, Parnell, Lucas, Ballance, Speed, Soles, and Little:

S.B. 1326, a bill to improve educational opportunities for North Carolinians attending community colleges and to make an appropriation.

Referred to **Education/Higher Education Committee** and upon a favorable report, re–referred to the to **Appropriations Committee**.

By Senators Rand, Albertson, Perdue, Hoyle, Cooper, Odom, and Warren:

S.B. 1327, a bill to establish a Scientific Advisory Council on Water Resources and Coastal Fisheries Management in the Department of Environment, Health, and Natural Resources.

Referred to **Appropriations Committee**.

By Senators Cooper, Odom, Blackmon, Plexico, and Horton:

S.B. 1328, a bill to implement phase one of the restructuring of environmental programs in the Department of Environment, Health, and Natural Resources and to make conforming statutory changes, as recommended by the environmental process action team of the Department of Environment, Health, and Natural Resources and to make clarifying, conforming, and technical amendments to various laws relating to environment, health, and natural resources, as recommended by the Environmental Review Commission.

Referred to **Agriculture/Environment/Natural Resources Committee**.

By Senators Foxx, McDaniel, Carrington, Ballantine, Horton, Cochrane, Blust, Smith, Kincaid, Simpson, Shaw, Ledbetter, Clark, Page, Sherron, Hoyle, Hartsell, Blackmon, Allran, Carpenter, East, Little, McKoy, Davis, Forrester, and Webster:

S.B. 1329, a bill to sunset any administrative rule adopted under Chapter 150B of the General Statutes ten years after the rule became effective.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Martin of Guilford, Blust, and Shaw:

S.B. 1330, a bill to incorporate the Town of Sedalia.

Referred to **Local Government and Regional Affairs Committee**.

By Senator Martin of Guilford:

S.B. 1331, a bill recommended by the Study Commission on Welfare Reform to continue the Study of Welfare Reform and report to the General Assembly.

Referred to **Rules and Operation of the Senate Committee**.

By Senators Martin of Guilford, Ballance, Carpenter, Cooper, Perdue, Plyler, Speed, Warren, Shaw, Dannelly, Lucas, Forrester, Winner, Martin of Pitt, Albertson, Hoyle, Kerr, Rand, Odom, Hobbs, Conder, Ledbetter, Clark, Jordan, Plexico, Parnell, Sherron, and Soles:

S.B. 1332, a bill to appropriate funds to provide the additional independent living rehabilitation service offices and staff necessary to enable the Independent Living Rehabilitation Program to serve all the counties of North Carolina.

Referred to **Appropriations Committee**.

By Senators Martin of Guilford, Soles, Parnell, and Sherron:

S.B. 1333, a bill to appropriate funds for child care for low–income working families.

Referred to **Appropriations Committee**.

By Senators Martin of Guilford, Cooper, Dannelly, Forrester, and Cochrane:

S.B. 1334, a bill recommended by the Blue Ribbon Task Force on the Issue of the Potential Impact of Federal Block Grant Funding and other federal actions on Medicaid in North Carolina to extend the study.

Referred to **Rules and Operation of the Senate Committee**.

By Senators Davis, Perdue, Hartsell, Carpenter, Hoyle, Webster, Allran, McKoy, Lucas, Winner, Clark, Cochrane, Plexico, Conder, and Little:

S.B. 1335, a bill to allow local boards of education to obtain refunds of sales and use taxes.

Referred to **Finance Committee**.

By Senators Davis, Carpenter, Martin of Pitt, Hoyle, McKoy, Perdue, Hartsell, Little, East, Webster, Gulley, Allran, Cochrane, Winner, Martin of Guilford, Lucas, Plexico, Conder, Speed and Perdue:

S.B. 1336, a bill to provide that it is a Class F felony to abduct a child from any person, agency, or institution lawfully entitled to the child's custody as recommended by the North Carolina Child Fatality Task Force.

Referred to **Judiciary II/Election Laws Committee**.

By Senators McDaniel, Ballantine, Page, McKoy, Carrington, Foxx, Kincaid, Clark, Ledbetter, Horton, Blust, Shaw, Blackmon, Little, East, Cochrane, Smith, Allran, Hartsell, Carpenter, Forrester, Davis, Webster, and Simpson:

S.B. 1337, a bill to repeal the increase in the individual income tax enacted in 1991.

Referred to **Finance Committee**.

By Senators McDaniel, Ballantine, Page, McKoy, Carrington, Foxx, Kincaid, Clark, Ledbetter, Horton, Blust, Hartsell, Blackmon, Smith, East, Shaw, Cochrane, Allran, Davis, Carpenter, Forrester, Little, Webster, and Simpson:

S.B. 1338, a bill to repeal the increase in the corporate income tax enacted in 1991.

Referred to **Finance Committee**.

By Senators McDaniel, Ballantine, Page, Clark, Carrington, Foxx, McKoy, Ledbetter, Horton, Blust, Shaw, Blackmon, Smith, East, Cochrane, Hartsell, Little, Allran, Carpenter, Forrester, Davis, Webster, and Simpson:

S.B. 1339, a bill to repeal the increase in the cigarette tax enacted in 1991.

Referred to **Finance Committee**.

By Senators McDaniel, Ballantine, Page, Clark, Carrington, Foxx, Kincaid, McKoy, Ledbetter, Horton, Blust, Blackmon, Smith, East, Allran, Hartsell, Carpenter, Little, Webster, Forrester, Davis, and Simpson:

S.B. 1340, a bill to repeal the increase in the sales tax enacted in 1991.

Referred to **Finance Committee**.

By Senators Albertson, Martin of Pitt, Dannelly, Winner, Hoyle, Kerr, Perdue, Odom, Hobbs, Conder, Blackmon, Forrester, Cochrane, Rand, Shaw, Smith, Cooper, and Warren:

S.B. 1341, a bill to establish a fisheries research center within the Cooperative Institute for Fisheries Oceanography of the University of North Carolina and to require that the Department of Environment, Health, and Natural Resources create an Emergency Fish Kill Response Team to respond to significant fish kills.

Referred to **Agriculture/Environment/Natural Resources Committee** and upon a favorable report, re-referred to the **Appropriations Committee.**

By Senators Plexico, Jordan, Odom, Cochrane, Davis, Hoyle, Little, Martin of Pitt, Albertson, Blackmon, Kerr, McKoy, Hobbs, Cooper, Warren, Plyler, and Speed:

S.B. 1342, a bill to appropriate funds for the North Carolina Technological Development Authority, Inc.

Referred to **Appropriations Committee**.

By Senators Plexico, Horton, Odom, Hoyle, Albertson, Martin of Pitt, Blackmon, and Cooper:

S.B. 1343, a bill to specify that one member of the Environmental Management Commission shall have employment experience in industrial air and water pollution control at an industrial manufacturing facility, as recommended by the Environmental Management Commission.

Referred to **Agriculture/Environment/Natural Resources Committee**.

By Senators Soles, Conder, and Edwards:

S.B. 1344, a bill to amend the laws governing Employee Insurance Committees.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee**.

By Senator Perdue, Albertson, Kerr, Odom, Cooper, Martin of Guilford, Hoyle, Conder, and Ballance:

S.B. 1345, a bill to amend Article 21 of Chapter 143 of the General Statutes to establish permits and an inspection schedule for specified animal operations and to

require enhanced communication including a plan to develop site specific management strategies.

Referred to **Agriculture/Environment/Natural Resources Committee.**

By Senators Odom, Albertson, Conder, Martin of Pitt, Perdue, Rand, Cooper, and Ballance:

S.B. 1346, a bill to appropriate funds for the study of water quality and the enhancement of environmental education.

Referred to **Appropriations Committee**.

By Senators Odom, Cooper, Martin of Guilford, Conder, Rand, Warren, Perdue, Plyler, and Albertson:

S.B. 1347, a bill to increase funding of the Agriculture Cost Share Program and to require that the Program target the additional funds to farmers in the Neuse River Basin to reduce water quality problems from nonpoint source pollution.

Referred to **Appropriations Committee**.

By Senators Odom, Blackmon, and Plexico:

S.B. 1348, a bill to create the Well Contractors and Pump Contractors Certification Commission, to amend the well drillers and pump installers registration requirements, and to make various amendments to the Well Construction Act, as recommended by the Environmental Review Commission.

Referred to **Finance Committee**.

By Senators Hoyle and Perdue:

S.B. 1349, a bill to authorize the Department of Transportation to award a contract for replacement of the Radio Island railroad trestle on a design–build basis.

Referred to **Transportation Committee**.

By Senators Soles:

S.B. 1350, a bill to amend Insurance Department and Manufactured Housing Board civil penalty statutes to conform those statutes with Craven County Board of Education v. Boyles *et. al,* a recent North Carolina Supreme Court decision.

Referred to **Finance Committee**.

By Senators Odom, Albertson, Conder, Martin of Pitt, Perdue, Rand, and Ballantine:

S.B. 1351, a bill to develop riparian buffers to protect water quality and natural resources.

Referred to **Agriculture/Environment/Natural Resources Committee** and upon a favorable report, re–referred to the **Appropriations Committee.**

By Senator Parnell:

S.B. 1352, a bill to amend the Psychology Practice Act and related statutes.

Referred to **Commerce Committee** and upon a favorable report, re–referred to the **Finance Committee.**

By Senator Soles:

S.B. 1353, a bill to streamline the review of grievances filed by State employees and applicants for State employment.

Referred to **Judiciary I/Constitution Committee.**

By Senators Little, Davis, Foxx, Hoyle, Conder, Hobbs, Carpenter, Plexico, Allran, Hartsell, Cochrane, Smith, Forrester, Albertson, and Rand:

S.B. 1354, a bill to require the Department of Transportation to obtain the approval of a State agency owning land crossed by an unpaved secondary road before paving that road.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senators Speed, Cooper, Simpson, and Albertson:

S.B. 1355, a bill to appropriate funds to the Department of Environment, Health, and Natural Resources to fund the Division of Environmental Health to implement a waiver program for certain drinking water tests.

Referred to **Appropriations Committee**.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages and special messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 1089 (Committee Substitute), a bill to remove language requiring an attorney's opinion and written statement in appeals by indigents from the Industrial Commission to the North Carolina Court of Appeals and to clarify the procedure for such indigent appeals.

Referred to **Judiciary II/Election Laws Committee**.

H.B. 1090, a bill to remove the requirement for workers' compensation coverage for subcontractors with no employees.

Referred to **Judiciary II/Election Laws Committee**.

H.B. 1097, a bill to permit the City of Brevard to convey certain parcels of real property to former owners or adjoining owners with or without consideration.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1108 (Committee Substitute), a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, and to make other changes in the budget operation of the State.

Referred to **Appropriations Committee**.

H.B. 1140, a bill to authorize the Town of Battleboro to schedule an advisory referendum on its merger into the City of Rocky Mount.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1156, a bill to allow the Town of Mooresville to donate unclaimed bicycles to charity.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1165, a bill to increase giving to charitable nonprofit organizations by exempting from sales and use tax tangible personal property that is manufactured

or purchased for resale by a wholesale merchant or a retailer and then donated to a charitable nonprofit organization, by expanding the State corporate income tax deduction for charitable contributions, and by providing an income tax credit for certain charitable contributions by individuals who cannot deduct the contributions because they do not itemize.

Referred to **Finance Committee.**

H.B. 1166, a bill to modify the required disclosure statement and eliminate duplicative reporting requirements under the Charitable Solicitations Act and to modify and clarify requirements for nongovernmental entities' accountability for State grants.

Referred to **Judiciary I/Constitution Committee.**

H.B. 1096, a bill to transfer responsibility for collecting the remainder of the gross premiums tax from the Department of Insurance to the Department of Revenue and to clarify related statutes.

Referred to **Finance Committee.**

REPORT TO GENERAL ASSEMBLY

A Commission directed to report to the General Assembly submits a report *(see Addendum)* which is ordered placed on file in the Legislative Library, as follows:

Pursuant to Chapter 769, Section 28.21 (1993 S.L.) and Chapter 507, Section 27.3 (1995 S.L.), the **Piedmont Sports and Entertainment Facilities Study Commission** submits its report to the 1995 General Assembly of North Carolina, 1996 Regular Session.

COURTESIES

The Chair recognizes Senator Basnight, President *Pro Tempore,* who appoints Senator McDaniel of Forsyth, Senator Kincaid of Caldwell, Senator Martin of Guilford, Senator Kerr of Wayne, and Senator Rand of Cumberland to escort visiting dignitaries from Bulgaria to the Well of the Senate. The guests are received with a standing ovation.

Senator Rand presents the Honorable Kostadin Chatalbashev, Chairman of the Association of Rhodope Municipalities and Mayor of Smolyan, to the President of the Senate who recognizes Mr. Chatalbashev to address the Senate. Through an interpreter, he explains that the visiting Bulgarians are in the United States observing and studying local governments and their role in a democracy.

The President of the Senate directs welcoming remarks to Mr. Chatalbashev and presents him with a North Carolina State Flag. The President then recognizes the committee to escort the guests from the Chamber.

CALENDAR

Bills and a resolution on the Calendar are taken up and disposed of, as follows:

S.J.R. 1099, a joint resolution honoring the life and memory of Nancy Winbon Chase, former State Legislator.

With unanimous consent, on motion of Senator Kerr, consideration of the joint resolution is postponed until Monday, June 3.

S.B. 1179, a bill to provide a grace period for military personnel to list and pay property taxes after deployment in connection with Operation Joint Endeavor.

The bill passes its second (48–0) and third readings and is ordered sent to the House of Representatives.

S.B. 1180, a bill to require local governments to account for 911 surcharges in their annual financial statements.

The bill passes its second (48–0) and third readings and is ordered sent to the House of Representatives.

S.B. 1139 (Committee Substitute), a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to implement the State Board of Education's ABC's plan in order to establish an accountability model for the public schools to improve student performance and increase local flexibility and control, to make conforming changes, and to make an appropriation, as amended, upon third reading.

Senator Page offers Amendment No. 3.

Senator Cooper offers Amendment No. 4, perfecting Amendment No. 3.

Following debate, Senator Winner calls the previous question on the bill, as amended, seconded by Senator Gulley. The call is sustained (26–22).

Amendment No. 4, offered by Senator Cooper perfecting Amendment No. 3 is adopted (26–22).

Amendment No. 3, offered by Senator Page, is adopted (48–0).

The Committee Substitute bill, as amended, passes its third reading (47–1) and is ordered engrossed and sent to the House of Representatives.

The President recognizes the following pages serving in the Senate this week:

Kinsey Elizabeth Banzet, Stoneville; Amanda Leah Bristow, Kernersville; Jackie Renee Carter, Leasburg; Jesse Dorine Carter, Leasburg; Amy Elizabeth Cooke, Raleigh; Michelle Davis, Leasburg; Krystal Dingle, Gastonia; Diana Ellis, Raleigh; Jessica L. Goldston, Siler City; Coriander Caeli Harbin, Waynesville; Elizabeth Leigh Hinnant, Kenly; Atasha Isley, Siler City; Christopher Menius Kelso, New Bern; Billie Jo Lynn, Hickory; Jasmine McCoy, Skyland; Mary Elizabeth Mills, Hickory; Loren Michael Parker, New Bern; David Len Tilley, Raleigh; Yolanda Warren, Charlotte; and Daniel Whitley, New Bern.

On motion of Senator Basnight, seconded by Senator Cochrane, Senate Minority Leader, the Senate adjourns at 8:29 P.M. to meet tomorrow, Tuesday, May 28, at 3:00 P.M.

ONE HUNDRED NINETEENTH DAY

SENATE CHAMBER
Tuesday, May 28, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Dear Lord, it represents a universal language. When a line is drawn in the sand, we pay attention. At once, we become aware of those who stand opposite us. The potential for conflict arises.

"Here in the Senate where some lines are already being drawn, we pray that the differences of opinion represented by each side will result in creative resolution.

"It is easy to live at peace with those who are like-minded. But to live at peace with those who oppose us is a great grace gift of God and a commendable achievement. Amen."

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Monday, May 27, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. W. Rodwell Drake, Jr. of Oxford, who is serving the Senate as Doctor of the Day.

ENROLLED BILL

The Enrolling Clerk reports the following bill properly enrolled and it is duly ratified and sent to the Office of the Secretary of State:

H.B. 1088, an act to change the requirement for hospital reimbursement in workers' compensation cases. (Ch. 548)

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Albertson for the **Agriculture/Environment/Natural Resources Committee**:

H.B. 1075 (Committee Substitute), a bill to remove the expiration date on the Endorsement to Sell Program set forth in Chapter 515 of the 1993 Session Laws, with a favorable report.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Edwards:

S.B. 1356, a bill to appropriate funds for minority economic development in Cumberland County and the Cape Fear region.

Referred to **Appropriations Committee**.

By Senator Ballance:

S.B. 1357, a bill to appropriate funds to the John A. Hyman Memorial Youth Development Foundation to assist in helping youths reach their full potential.

Referred to **Appropriations Committee**.

By Senator Ballance:

S.B. 1358, a bill to appropriate funds to the Department of Environment, Health, and Natural Resources to provide life-sustaining medication for eligible persons infected with HIV.

Referred to **Appropriations Committee**.

By Senators Plyler, Albertson, and Conder:

S.B. 1359, a bill to appropriate funds to the Department of Agriculture for expansion of mycoplasma and bacteriology services.

Referred to **Appropriations Committee**.

By Senators Plyler and Conder:

S.B. 1360, a bill to confirm that Stanly County may purchase and convey property to the State of North Carolina for use as a correctional facility.

Referred to **Local Government and Regional Affairs Committee**.

By Senator Kerr:

S.B. 1361, a bill to appropriate funds to the Utility Account created in the Industrial Development Fund to assist the ten most distressed counties of the State in creating high quality jobs.

Referred to **Appropriations Committee**.

By Senators Martin of Pitt and Conder:

S.B. 1362, a bill to appropriate funds to create and implement the Rural Tourism Development Program.

Referred to **Appropriations Committee**.

By Senators Rand, Cooper, Perdue, Martin of Guilford, Winner, Gulley, Warren, Martin of Pitt, Dannelly, Albertson, Hoyle, Kerr, Soles, Speed, Parnell, Lucas, Ballance, Edwards, Plexico, Plyler, Odom, Conder, and Sherron:

S.B. 1363, a bill to expand the property tax homestead exemption for low-income elderly and disabled individuals and to reimburse counties and cities for the resulting revenue loss.

Referred to **Finance Committee**.

REPORT OF COMMITTEE

A standing committee report is submitted out of the regular order of business, bills are read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Gulley for the **Judiciary II/Election Laws Committee**:

S.B. 1116, a bill to allow persons who are unable to go to the polls because of observance of a religious holiday to cast an absentee ballot, with a favorable report.

S.B. 1122, a bill to repeal the sunset on designation of Employment Security Commission offices as voter registration agencies and to provide for funding, with a favorable report.

S.B. 1123, a bill to make corrections in the 1994 legislation designed to bring North Carolina into compliance with the National Voter Registration Act, with a favorable report.

S.B. 1159, a bill to remove language requiring an attorney's opinion and written statement in appeals by indigents from the Industrial Commission to the North Carolina Court of Appeals, with a favorable report.

CALENDAR

Bills on the Calendar are taken up and disposed of, as follows:

S.B. 1151, a bill to lessen the requirement of insurance companies to maintain trust accounts or obtain letters of credit or guaranty bonds as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

The bill passes its second (50–0) and third readings and is ordered sent to the House of Representatives.

S.B. 1161, a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to implement and monitor the plan for the transfer of credits between North Carolina institutions of higher education.

The bill passes its second (50–0) and third readings and is ordered sent to the House of Representatives.

S.B. 1165 (Committee Substitute), a bill to allow counties to remove vehicle registration tax block upon full payment of property taxes.

The Committee Substitute bill passes its second (50–0) and third readings and is ordered sent to the House of Representatives.

On motion of Senator Basnight, seconded by Senator Hobbs, the Senate adjourns at 3:29 P.M. to meet tomorrow, Wednesday, May 29, at 1:30 P.M.

ONE HUNDRED TWENTIETH DAY

SENATE CHAMBER
Wednesday, May 29, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Our Heavenly Father, when we are serious about praying, sometimes we end up in uncomfortable situations.

"In response to our prayers You ask us to:

"Speak a kind word to someone who hasn't acted kindly toward us—or to give when we haven't received—or to forgive one who seems unforgivable.

"Lord, one of the problems we have with praying is that You always get too personal but we keep praying because Your being so personal is one of the greatest joys we can experience.

"We listen for Your Voice today. Call our names and give us courage to follow. Amen."

Senator Soles, Deputy President *Pro Tempore*, announces the Journal of yesterday, Tuesday, May 28, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Charles M. Phillips of Greenville, who is serving the Senate as Doctor of the Day.

REPORT OF COMMITTEE

A bill is reported from standing a committee, read by its title, together with the report accompanying it, and take its place on the Calendar, as follows:

By Senator Plexico for the **Education/Higher Education Committee**:

S.B. 1117, a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to make amendments to the laws governing the Standards Board for Public School Administration and the Public School Administrator Exam, with a favorable report, as amended.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Sherron, Lucas, Ballance, Edwards, Rand, Perdue, Albertson, Martin of Pitt, Hoyle, Cooper, and Warren:

S.B. 1364, a bill to appropriate funds to Food Bank, Inc., a nonprofit

corporation, for capital and operating expenses.
Referred to **Appropriations Committee.**

By Senators Sherron, Carrington, and McKoy:
S.B. 1365, a bill concerning modification of the municipal limits between the City of Raleigh and the Town of Garner.
Referred to **Local Government and Regional Affairs Committee.**

By Senator Cooper:
S.B. 1366, a bill to appropriate funds to the Town of Nashville for the completion of a police and fire department complex.
Referred to **Appropriations Committee.**

By Senators Albertson, Martin of Pitt, Warren, Hoyle, Kerr, Rand, Gulley, Winner, Sherron, Cooper, Soles, Speed, Cochrane, Little, Davis, and Carrington:
S.B. 1367, a bill to appropriate funds to the Department of Agriculture for pesticide enforcement.
Referred to **Appropriations Committee.**

By Senator Plexico:
S.B. 1368, a bill to authorize the construction and the financing, without appropriations from the General Fund, of certain capital improvements projects of the constituent institutions of the University of North Carolina and the University of North Carolina Hospitals at Chapel Hill.
Referred to **Appropriations Committee.**

By Senator Plexico:
S.B. 1369, a bill to amend the Charter of Maggie Valley dealing with land-use powers and to reflect that the Town has adopted the manager form of government.
Referred to **Local Government and Regional Affairs Committee.**

By Senators Martin of Guilford and McKoy:
S.B. 1370, a bill to appropriate funds for North Carolina Agricultural and Technical State University to acquire land.
Referred to **Appropriations Committee.**

By Senators Martin of Guilford and McKoy:
S.B. 1371, a bill to appropriate funds for agricultural research and extension programs at North Carolina Agricultural and Technical State University.
Referred to **Appropriations Committee.**

By Senator Martin of Guilford:
S.B. 1372, a bill to appropriate funds for renovation at the Charlotte Hawkins Brown Memorial State Historic Site.
Referred to **Appropriations Committee.**

By Senator Edwards:
S.B. 1373, a bill to appropriate funds to the Department of Commerce for a business incubator for the City of Fayetteville.
Referred to **Appropriations Committee.**

By Senator Soles:
S.B. 1374, a bill to authorize the Town of Cerro Gordo to convey by private sale certain property to Eugene Green.
Referred to **Local Government and Regional Affairs Committee**.

By Senator Soles:
S.B. 1375, a bill concerning Columbus County and the municipalities in that County.
Referred to **Local Government and Regional Affairs Committee**.

By Senator Soles:
S.B. 1376, a bill to appropriate funds to Columbus County for economic development projects.
Referred to **Appropriations Committee**.

By Senator Carpenter:
S.B. 1377, a bill establishing the Harmon Field Board of Supervisors for administration of Harmon Field located in Polk County.
Referred to **Local Government and Regional Affairs Committee**.

By Senator Gulley:
S.B. 1378, a bill authorizing Durham County to enter into contracts to construct sidewalks within the County's jurisdiction.
Referred to **Local Government and Regional Affairs Committee**.

By Senator Gulley:
S.B. 1379, a bill authorizing Durham County to increase its fee for issuing weapons permits or licenses.
Referred to **Finance Committee**.

By Senator Gulley:
S.B. 1380, a bill authorizing Durham County to accept payments in lieu of required street and sidewalk construction.
Referred to **Finance Committee**.

By Senators Martin of Pitt, Albertson, and Hoyle:
S.B. 1381, a bill to appropriate funds to the Department of Agriculture to establish a grain grading training program.
Referred to **Appropriations Committee**.

By Senator Martin of Pitt:
S.B. 1382, a bill to appropriate funds to the Farmville Public Library for capital expenses.
Referred to **Appropriations Committee**.

By Senator Martin of Pitt:
S.B. 1383, a bill to appropriate funds to the Department of Agriculture for the completion of the Piedmont Triad Farmers' Market.
Referred to **Appropriations Committee**.

By Senators Martin of Guilford and McKoy:

S.B. 1384, a bill to appropriate funds for planning and designing a new classroom building at North Carolina Agricultural and Technical State University.

Referred to **Appropriations Committee.**

By Senators Gulley and Lucas:

S.B. 1385, a bill to authorize the Durham City Council to determine the number of regular meetings of the City Council to be held each month.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Gulley and Lucas:

S.B. 1386, a bill to amend the Charter of the City of Durham to allow payment of assessments over a longer period and at a reduced interest rate in cases of special financial hardship.

Referred to **Finance Committee.**

CALENDAR

S.B. 1122, a bill to repeal the sunset on designation of Employment Security Commission offices as voter registration agencies and to provide for funding, on today's Calendar.

With unanimous consent, on motion of Senator Perdue, the bill is taken up out of its regular order of business and on her further motion the bill is re–referred to the **Appropriations Committee.**

H.B. 1075 (Committee Substitute), a bill to remove the expiration date on the Endorsement to Sell Program set forth in Chapter 515 of the 1993 Session Laws, on today's Calendar.

With unanimous consent, on motion of Senator Perdue, the Committee Substitute bill is taken up out of its regular order of business and on her further motion the Committee Substitute bill is re–referred to the **Appropriations Committee.**

COURTESIES

On motion of Senator Page, the Chair extends courtesies of the gallery to Emily Rose Morgan Goode, 1996 North Carolina State Mother of the Year, and Lisa Phillips, 1996 North Carolina and National Mother of Young Children representative.

The President of the Senate extends courtesies of the gallery to Mr. Peter Skinner, Deputy Commissioner and Deputy Chief Executive Officer of Super Annuation in Australia.

With unanimous consent, Senator Soles offers a motion privileges of the floor be extended to Mr. Skinner which motion prevails. The President recognizes Senator Basnight, President *Pro Tempore*, who appoints Senator Conder of Richmond, Senator Soles of Columbus, Senator Kincaid of Caldwell, Senator Shaw of Guilford, and Senator Lucas of Durham to escort the visiting dignitary from Australia to the Well of the Senate. Mr. Skinner is received with a standing ovation.

Senator Soles presents Mr. Peter Skinner, Deputy Commissioner and Deputy Chief Executive Officer of Super Annuation, to the President of the Senate who

recognizes Mr. Skinner to address the Senate. Mr. Skinner offers remarks comparing and contrasting the retirement systems of Australia and North Carolina.

The President responds and presents Mr. Skinner with a North Carolina State Flag on behalf of the Senate. The President then recognizes the committee to escort Mr. Skinner from the Chamber.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives transmitting a bill for concurrence which is read and disposed of as follows:

S.B. 843 (House Committee Substitute), a bill to revise the statutes regarding antitrust law to ensure that these provisions are internally consistent and consistent with federal antitrust laws, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, May 30.

Messages and special messages received in the Office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 1094, a bill to prohibit the imposition of a failure to pay penalty when additional tax due is paid at the time an amended return is filed or within thirty days after the additional tax was assessed.

Referred to **Finance Committee**.

H.B. 1155, a bill to authorize the Director of the State Capitol Police to provide for the evacuation of State buildings and grounds in the event of emergency or potentially hazardous conditions.

Referred to **Rules and Operation of the Senate Committee**.

H.B. 1193, a bill to provide for more effective financial supervision, rehabilitation, and liquidation procedures for continuing care retirement centers and to provide that continuing care agreements are subordinate to the cost of administration in liquidation as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee**.

H.B. 1199 (Committee Substitute), a bill to revise the definition of nonfleet motor vehicle to allow flexibility for the number of automobiles that may be written under a personal automobile insurance policy as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee**.

CALENDAR

Bills on the Calendar are taken up and disposed of, as follows:

S.B. 1116, a bill to allow persons who are unable to go to the polls because of observance of a religious holiday to cast an absentee ballot.

The bill passes its second (49–0) and third readings and is ordered sent to the House of Representatives.

S.B. 1123, a bill to make corrections in the 1994 legislation designed to bring North Carolina into compliance with the National Voter Registration Act.

The bill passes its second (42–7) and third readings and is ordered sent to the House of Representatives.

S.B. 1159, a bill to remove language requiring an attorney's opinion and written statement in appeals by indigents from the Industrial Commission to the North Carolina Court of Appeals.

With unanimous consent, on motion of Senator Ballance, consideration of the the bill is postponed until tomorrow, May 30.

CONFIRMATION OF APPOINTMENT

Senator Soles offers a motion to the end the rules be suspended to allow the introduction of the following Senate simple resolution filed earlier today, which motion prevails with unanimous consent.

By Senator Soles:

S.R. 1398, a Senate simple resolution providing for the confirmation of the appointments of the Governor's appointments to the Board of Trustees of the Teachers' and State Employees' Retirement System.

On motion of Senator Soles, the Senate simple resolution is read and placed before the Senate for immediate consideration, upon adoption.

On motion of Senator Soles, the Senate simple resolution is adopted (50–0) confirming the appointments by the Governor to the Board of Trustees of the Teachers' and State Employees' Retirement System. The text of the Senate simple resolution is as follows:

A SENATE SIMPLE RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENTS OF THE GOVERNOR'S APPOINTMENTS TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.

Whereas, under the provisions of G.S. 135–6, appointments by the Governor to membership on the Board of Trustees of the Teachers' and State Employees' Retirement System are subject to confirmation by the Senate; and

Whereas, vacancies have occurred on the Board of Trustees of the Teachers' and State Employees' Retirement System; and

Whereas, the Governor has transmitted to the presiding officer of the Senate, the names of his appointees to fill the terms of membership on the Board of Trustees of the Teachers' and State Employees' Retirement System;

Now, therefore, be it resolved by the Senate:

Section 1. (a) The appointment of Carol–Ann Tucker of Pitt County, to the Board of Trustees of the Teachers' and State Employees' Retirement System, as a representative of higher education, to fill an unexpired term to expire on June 30, 1997, is confirmed.

(b) The appointment of Michael L. Dupree of Granville County, to the Board of Trustees of the Teachers' and State Employees' Retirement System, as a

representative of State law enforcement, to fill an unexpired term to expire on March 31, 1997, is confirmed.

(c) The appointments of Kevin G. Harris of Nash County, Paschal W. Swann of Forsyth County, and S. Leigh Wilson of Wake County, to the Board of Trustees of the Teachers' and State Employees' Retirement System, as representatives of the public, for terms to expire on March 31, 2000, are confirmed.

Sec. 2. This resolution is effective upon adoption.

REPORTS OF COMMITTEES

Standing committee reports are submitted out of the regular order of business, bills are read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Sherron for the **Finance Committee**:

S.B. 1275, a bill to provide incentives for high quality jobs and business expansion in North Carolina, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Sherron, the rules are suspended, and the proposed Committee Substitute bill 8723 is placed before the Senate for immediate consideration.

The Chair rules the Committee Substitute bill requires a call of the roll and further rules the amendment material. The Committee Substitute bill is adopted, constituting first reading.

The Chair orders the measure placed on the Calendar for tomorrow, May 30, upon its second reading.

The Chair extends courtesies of the floor to Joe Thomas, former Senator from Craven County.

By Senator Jordan for the **Local Government and Regional Affairs Committee**:

S.B. 1113, a bill to change the date for the oath of office for members of the Richmond County Board of Education, with a favorable report.

S.B. 1189, a bill to allow Jones County to acquire property for use by its County Board of Education, with a favorable report.

S.B. 1190, a bill to extend the extraterritorial planning jurisdiction of the Town of Wallace, with a favorable report.

S.B. 1203, a bill to allow the City of Bessemer City to convey certain described property at private sale, with a favorable report.

S.B. 1218, a bill to authorize the Pender County Board of Education to convey certain property at private sale to the Maple Hill Civic Club, Inc., a nonprofit corporation, with a favorable report.

S.B. 1243, a bill to establish a no-wake zone on a portion of Lake Hickory, with a favorable report.

S.B. 1244, a bill to grant the Town of Wallace a temporary exemption from the total amount of noncontiguous territory that may be annexed, with a favorable report.

S.B. 1245, a bill concerning the definition of subdivision for the Town of Rose Hill, with a favorable report.

S.B. 1246, a bill to repeal a section of the Charter of the Town of Landis relating to ABC in conflict with general law, with a favorable report.

S.B. 1266, a bill to allow Pitt County to acquire property for use by its County Board of Education, with a favorable report.

S.B. 1267, a bill to add New Hanover County to those counties in which a tenant's refusal to perform a contract for the rental of land is grounds for dispossession, with a favorable report.

S.B. 1268, a bill to allow New Hanover County to acquire property for use by its County Board of Education, with a favorable report.

S.B. 1278, a bill to allow the City of Jacksonville to require sidewalk improvements through the site plan review process under the authority of the city zoning ordinance, with a favorable report.

S.B. 1279, a bill to extend the Beaver Damage Control Program and to add Jones County to that Program, with a favorable report.

S.B. 1280, a bill to permit one–stop voting on direct record voting equipment in Wilson County, with a favorable report.

S.B. 1282, a bill to allow Martin County to acquire property for use by its County Board of Education, with a favorable report.

S.B. 1153, a bill to provide staggered terms for members of the Board of Commissioners of the Town of Lumber Bridge and provide a four–year term for the Mayor, with a favorable report, as amended.

H.B. 1140, a bill to authorize the Town of Battleboro to schedule an advisory referendum on its merger into the City of Rocky Mount, with a favorable report.

With unanimous consent, on motion of Senator Jordan, the bill is placed before the Senate for immediate consideration upon its passage.

The bill passes its second and third readings and is ordered enrolled.

RECALL FROM CALENDAR

S.B. 1153, a bill to provide staggered terms for members of the Board of Commissioners of the Town of Lumber Bridge and provide a four–year term for the Mayor, placed earlier today on the Calendar for May 30.

Senator Jordan offers a motion the bill be taken from the Calendar for May 30 and recommitted to the **Local Government and Regional Affairs Committee**, which motions prevail with unanimous consent.

The Chair orders the bill taken from the Calendar for May 30 and recommitted to the **Local Government and Regional Affairs Committee.**

REPORTS OF COMMITTEES *(Continued)*

By Senator Jordan for the **Local Government and Regional Affairs Committee:**

S.B. 1169, a bill to allow the Cumberland County Board of Education to permit the use of public school buses to serve the transportation needs of the National Forensics League Tournament, with a favorable report.

On motion of Senator Basnight, seconded by Senator Davis, the Senate adjourns at 2:36 P.M. to meet tomorrow, Thursday, May 30, at 12:00 Noon.

ONE HUNDRED TWENTY–FIRST DAY

SENATE CHAMBER
Thursday, May 30, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Almighty God, in this age of advanced technology and rapid fire information, we are expected to know something about everything. Indeed, others judge us by the scope and depth of information that we can call forth on demand.

"But You taught us, O Lord, that no one who really matters cares how much we know unless they know how much we care for them. Amen."

With unanimous consent, the President grants a leave of absence for today to Senator McKoy.

Senator Basnight, President *Pro Tempore,* announces the Journal of yesterday, Wednesday, May 29, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Edwin M. Tomlin of Harrisburg, who is serving the Senate as Doctor of the Day.

ENROLLED BILL

The Enrolling Clerk reports the following bill properly enrolled and it is duly ratified and sent to the Office of the Secretary of State:

H.B. 1140, an act to authorize the Town of Battleboro to schedule an advisory referendum on its merger into the City of Rocky Mount. (Ch. 549)

REPORT OF COMMITTEE

Bills are reported from a standing committee, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Kerr for the **Finance Committee**:

S.B. 1284, a bill to modify the State ports tax credit by expanding it to include forest products, with a favorable report.

S.B. 1136, a bill to implement the recommendation of the School Capital Construction Study Commission to make permanent the requirement that counties use part of the two half–cent local sales tax proceeds only for public school buildings, with a favorable report, as amended.

S.B. 1176, a bill to modify the requirements for making street assessments in Foxfire Villages under certain circumstances, with a favorable report, as amended.

S.B. 1178, a bill to make technical and conforming changes to the revenue laws and related statutes, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Kerr, the rules are suspended, and the proposed Committee Substitute bill 8728, which changes the title to read **S.B. 1178** (Committee Substitute), a bill to make technical and conforming changes to the revenue laws and related statutes and to allow the voluntary withholding of income tax from unemployment compensation payments, is placed before the Senate for immediate consideration.

On motion of Senator Kerr, the Committee Substitute bill is adopted.

The Chair orders the measure placed on the Calendar for Monday, June 3, for further consideration.

INTRODUCTION OF BILLS AND A RESOLUTION

Bills and a resolution filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Hoyle and Martin of Pitt:

S.B. 1387, a bill to appropriate funds to the Department of Environment, Health, and Natural Resources to improve the sanitation program for food and lodging establishments.

Referred to **Appropriations Committee**.

By Senators Hoyle, Plexico, Winner, and Smith:

S.B. 1388, a bill to reduce the State sales tax on food from four percent to three percent.

Referred to **Finance Committee**.

By Senators Plyler and Conder:

S.B. 1389, a bill to deannex and detach a small area of land from the corporate

limits of the City of Albemarle, North Carolina.
Referred to **Local Government and Regional Affairs Committee.**

By Senators Speed, Albertson, Soles, Cooper, Gulley, Kerr, Parnell, Ballance, Edwards, Warren, and Lucas:
S.B. 1390, a bill to appropriate funds to the Department of Agriculture for improvements of the Rollins Animal Disease Diagnostic Laboratory.
Referred to **Appropriations Committee.**

By Senators Speed, Albertson, Soles, Cooper, Kerr, Parnell, Lucas, Ballance, Edwards, Warren:
S.B. 1391, a bill to appropriate funds to the Department of Agriculture for a food distribution building.
Referred to **Appropriations Committee.**

By Senators Little and Hobbs:
S.B. 1392, a bill to annex a described area to the Town of Aberdeen.
Referred to **Local Government and Regional Affairs Committee.**

By Senators Odom, Blackmon, Allran, Winner, and Dannelly:
S.B. 1393, a bill to clarify the status of certified employees of the Mecklenburg County and Catawba County Sheriffs' Offices for eligibility for benefits afforded to law enforcement officers through the North Carolina Local Governmental Employees' Retirement System.
Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

By Senator Forrester:
S.J.R. 1394, a joint resolution authorizing the 1995 General Assembly, 1996 Session, to consider a bill to be entitled an act to provide that marriages contracted outside of this State between persons of the same gender are not valid in various counties.
Recommended referral, pursuant to Rule 43, to the **Rules and Operation of the Senate Committee.**

By Senator Simpson:
S.B. 1395, a bill to appropriate funds to the Town of Glen Alpine for recreational purposes.
Referred to **Appropriations Committee.**

By Senator Ballantine:
S.B. 1396, a bill to amend the Nursing Home Advisory Committee Law and the ombudsman law as it affects New Hanover County.
Referred to **Local Government and Regional Affairs Committee.**

By Senator Ballantine:
S.B. 1397, a bill to incorporate the Village of Sloop Point in Pender County.
Referred to **Local Government and Regional Affairs Committee.**

By Senator Soles:
S.B. 1399, a bill authorizing Columbus County to enter into leases for terms not longer than twenty years.
Referred to **Local Government and Regional Affairs Committee.**

By Senator Soles:

S.B. 1400, a bill to provide for a referendum in Brunswick County on the questions of changing the terms of office of the Brunswick County Board of Commissioners and the Brunswick County Board of Education from two years to four years.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Jordan:

S.B. 1401, a bill to appropriate funds for the North Carolina Housing Trust Fund and to authorize the Legislative Research Commission to study possible sources of revenue dedicated to the perpetuation of the Housing Trust Fund.

Referred to **Appropriations Committee.**

By Senator Jordan:

S.B. 1402, a bill to appropriate funds to the Department of Commerce, Community Assistance Division, to create a Distressed County Coordinator Position.

Referred to **Appropriations Committee.**

By Senator Jordan:

S.B. 1403, a bill to appropriate funds to study industry compliance with the Community Reinvestment Act.

Referred to **Appropriations Committee.**

By Senators Rand, Edwards, Forrester, and Little:

S.B. 1404, a bill to require the North Carolina Medical Board to issue, for a fee, limited volunteer licenses to certain physicians licensed in other States to provide services without compensation at clinics specializing in the care of indigent patients.

Referred to **Local Government and Regional Affairs Committee.**

By Senator Foxx:

S.B. 1405, a bill to create a new offense of third degree trespass in Surry County.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Rand, Martin of Pitt, Hartsell, Ballance, Ballantine, Gulley, Plexico, Jordan, Lucas, Speed, and Soles:

S.B. 1406, a bill to appropriate funds to the Department of Commerce for the Center for Community Self-Help to further a statewide program of lending for home ownership.

Referred to **Appropriations Committee.**

By Senators Gulley, Lucas, and Jordan:

S.B. 1407, a bill to appropriate funds for the construction of a new exhibit at the North Carolina Museum of Life and Science.

Referred to **Appropriations Committee.**

By Senators Gulley and Jordan:

S.B. 1408, a bill to reserve appropriated funds for health care for poor children.

Referred to **Appropriations Committee.**

By Senators Plyler and Conder:

S.B. 1409, a bill to establish the criminal offenses in Montgomery County of trespass on pine straw production land and larceny of pine straw.

Referred to **Local Government and Regional Affairs Committee**.

By Senators Sherron and Ballance:

S.B. 1410, a bill to provide for a binding referendum on the establishment of a North Carolina State Lottery Commission.

Referred to **Finance Committee**.

By Senators Sherron, Parnell, Lucas, Ballance, Rand, Martin of Guilford, Warren, Cooper, Perdue, Gulley, Soles, Plexico, Speed, Conder, and Plyler:

S.B. 1411, a bill to authorize the construction and the financing, without appropriations from the General Fund, of certain capital improvements projects of the constituent institutions of the University of North Carolina and the University of North Carolina Hospitals at Chapel Hill.

Referred to **Appropriations Committee**.

By Senator Ballantine:

S.B. 1412, a bill to reinstate the "no wake zone" within one hundred fifty yards of Seafood World in Topsail Sound and to repeal the prohibition on "no wake zones" in Pender County.

Referred to **Local Government and Regional Affairs Committee**.

By Senators Martin of Pitt and Albertson:

S.B. 1413, a bill to appropriate funds to the Agricultural Finance Authority for the Reserve for Farm Loans.

Referred to **Appropriations Committee**.

By Senator Martin of Pitt:

S.B. 1414, a bill to prohibit the reckless use of a firearm or bow and arrow and to regulate hunting from the right-of-way in Washington County.

Referred to **Local Government and Regional Affairs Committee**.

By Senator Martin of Pitt:

S.B. 1415, a bill to appropriate funds for the capital costs of constructing a facility to replace the Eastern North Carolina Livestock Arena.

Referred to **Appropriations Committee**.

By Senators Martin of Guilford, Winner, Dannelly, Ballantine, Cooper, Speed, Plexico, Lucas, Jordan, Hobbs, and Kerr:

S.B. 1416, a bill to appropriate funds to make child care available longer on sliding scale basis to people transitioning off welfare.

Referred to **Appropriations Committee**.

By Senators Martin of Guilford, Winner, Dannelly, Warren, Cooper, Speed, Lucas, Jordan, and Hobbs:

S.B. 1417, a bill to appropriate funds for one-time requests of Coalition 2001.

Referred to **Appropriations Committee**.

By Senators Martin of Guilford, Winner, Dannelly, Warren, Cooper, Speed, Lucas, Jordan, and Hobbs:

S.B. 1418, a bill to appropriate funds for capital projects requested by Coalition 2001.

Referred to **Appropriations Committee**.

By Senators Martin of Guilford, Winner, and Dannelly:

S.B. 1419, a bill to appropriate funds for the Maternal Outreach Program.

Referred to **Appropriations Committee**.

By Senator Martin of Guilford:

S.B. 1420, a bill to appropriate federal block grant funds for the Department of Human Resources.

Referred to **Appropriations Committee**.

By Senator Plexico:

S.B. 1421, a bill to appropriate funds for public projects in the Twenty–Ninth Senatorial District.

Referred to **Appropriations Committee**.

By Senator Plexico:

S.B. 1422, a bill concerning counties and municipalities in the Twenty–Ninth Senatorial District.

Referred to **Appropriations Committee**.

By Senators Hoyle and Martin of Pitt:

S.B. 1423, a bill to provide for special registration plates for magistrates.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senator Cooper:

S.B. 1424, a bill to appropriate funds to provide transition and support for deaf and hard–of–hearing students using cued speech in mainstream education programs.

Referred to **Appropriations Committee**.

By Senators Winner and Horton:

S.B. 1425, a bill to authorize the University of North Carolina to retain the net proceeds from the sale of the former residence of the Chancellor of Winston–Salem State University for application toward purchase of another residence for the Chancellor.

Referred to **Appropriations Committee**.

By Senator Albertson:

S.B. 1426, a bill authorizing Pender County to impose impact fees to fund capital improvements.

Referred to **Finance Committee**.

By Senator Conder:

S.B. 1427, a bill concerning Richmond County and the municipalities in that County.

Referred to **Local Government and Regional Affairs Committee**.

By Senator Conder:

S.B. 1428, a bill concerning Richmond County and the municipalities in that County.

Referred to **Local Government and Regional Affairs Committee.**

By Senators Conder and Plyler:

S.B. 1429, a bill to appropriate funds for the low–level waste site in Richmond County.

Referred to **Appropriations Committee.**

By Senators Conder and Plyler:

S.B. 1430, a bill to appropriate funds for the completion of the College Fine Arts Center at the Richmond Community College.

Referred to **Appropriations Committee.**

By Senators Conder and Plyler:

S.B. 1431, a bill to appropriate funds to the Department of Commerce, Travel and Tourism Division, to offset the expenses incurred by the Richmond County Babe Ruth League for hosting the 1996 Senior Babe Ruth Southeastern Regional Tournament.

Referred to **Appropriations Committee.**

By Senators Conder and Plyler:

S.B. 1432, a bill to appropriate funds for capital expenses of the North Carolina High School Athletic Association.

Referred to **Appropriations Committee.**

By Senators Conder and Plyler:

S.B. 1433, a bill to appropriate funds to the Department of Cultural Resources for the Richmond County Historical Society for the purchases of the Wall House.

Referred to **Appropriations Committee.**

By Senator Soles:

S.B. 1434, a bill to appropriate funds for the development of a pilot program to address methods to dispose of treated effluent.

Referred to **Appropriations Committee.**

By Senator Sherron:

S.B. 1435, a bill to provide an experience credit for the Principal Clerks.

Referred to **Appropriations Committee.**

By Senator Sherron:

S.B. 1436, a bill to appropriate funds to the Department of Administration for additional staff for the State Property Office.

Referred to **Appropriations Committee.**

By Senator Plexico:

S.B. 1437, a bill concerning counties and municipalities in the Twenty–Ninth Senatorial District.

Pursuant to Rule 43, the bill is ordered held in the Office of the Principal Clerk pending referral to committee.

By Senator McKoy:

S.B. 1438, a bill to reduce the *per diem* of legislators living within fifty miles of Raleigh by the amount that State employees are allowed for hotels on in–State official travel.

Referred to **Appropriations Committee**.

S.J.R. 1394, a joint resolution authorizing the 1995 General Assembly, 1996 Session, to consider a bill to be entitled an act to provide that marriages contracted outside of this State between persons of the same gender are not valid in various counties, with a recommended referral pursuant to Rule 43 to the **Rules and Operation of the Senate Committee** earlier today.

On motion of Senator Forrester, the rules are suspended to the end, the joint resolution is placed before the Senate for immediate consideration, upon its passage.

Receiving a two–thirds affirmative majority vote, the joint resolution passes its second (46–1) and third readings and is ordered, with unanimous consent, sent to the House of Representatives by special messenger.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message is received from the House of Representatives transmitting a bill which is read the first time and disposed of, as follows:

H.B. 1230, a bill to amend the Charter of Maggie Valley dealing with land–use powers and to reflect that the Town has adopted the manager form of government.

Referred to **Local Government and Regional Affairs Committee**.

CALENDAR

S.B. 1266, a bill to allow Pitt County to acquire property for use by its County Board of Education, upon second reading, on today's Calendar.

With unanimous consent on motion of Senator Kerr the bill is taken up out of its regular order of business and on his further motion is re–referred to the **Finance Committee**.

S.B. 1282, a bill to allow Martin County to acquire property for use by its County Board of Education, upon second reading, on today's Calendar.

With unanimous consent, on motion of Senator Kerr, the bill is taken up out of its regular order of business, and on his further motion is re–referred to the **Finance Committee**.

S.B. 1189, a bill to allow Jones County to acquire property for use by its County Board of Education, on today's Calendar.

With unanimous consent on motion of Senator Kerr the bill is taken up out of its regular order of business and on his further motion is re–referred to the **Finance Committee**.

S.B. 1268, a bill to allow New Hanover County to acquire property for use by its County Board of Education, on today's Calendar.

With unanimous consent on motion of Senator Kerr the bill is taken up out of its regular order of business and on his further motion is re-referred to the **Finance Committee**.

S.B. 1279, a bill to extend the Beaver Damage Control Program and to add Jones County to that Program, on today's Calendar.

With unanimous consent, on motion of Senator Perdue, the bill is taken up out of its regular order of business and on her further motion is re-referred to the **Appropriations Committee**.

REPORT OF COMMITTEE

A standing committee report is submitted out of the regular order of business, bills are read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Winner for the **Education/Higher Education Committee**:

S.B. 1134, a bill to implement the recommendation of the School Capital Construction Study Commission to clarify that the State Board of Education is to establish school facilities guidelines, to direct the State Board of Education to establish a central clearinghouse for prototype designs of school facilities, to direct the State Board of Education to establish the School Facilities Task Force, and to make an appropriation to implement this Act, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Winner, the proposed Committee Substitute bill 7784 is placed before the Senate for immediate consideration, and on her further motion is adopted.

Pursuant to Rule 43, the Committee Substitute bill is re-referred to the **Appropriations Committee**.

S.B. 1173, a bill to permit the local Board of Education in Alleghany County to schedule longer school days so as to offset days lost due to inclement weather, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Winner, the rules are suspended, and the proposed Committee Substitute bill 8726, which changes the title to read **S.B. 1173** (Committee Substitute), a bill to permit the local Boards of Education in Alleghany and Stokes Counties to schedule longer school days so as to offset days lost due to inclement weather, is placed before the Senate for immediate consideration.

On motion of Senator Winner, the Committee Substitute bill is adopted.

The Chair orders the measure placed on the Calendar for Monday, June 3, for further consideration.

S.B. 1207, a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to improve the program and services for gifted students, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Winner, the rules are suspended, and the proposed Committee Substitute bill 1821, which changes the title to read **S.B. 1207** (Committee Substitute), a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to improve the program and services for academically or intellectually gifted students, is placed before the Senate for immediate consideration.

On motion of Senator Winner the Committee Substitute bill is adopted.

The Chair orders the measure placed on the Calendar for Monday, June 3, for further consideration.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 1155, a bill to change the requirement for hospital reimbursement in workers' compensation cases, on today's Calendar.

With unanimous consent, on motion of Senator Kerr, the bill is taken up out of its regular order of business and on his further motion consideration of the bill is postponed indefinitely.

S.B. 1190, a bill to extend the extraterritorial planning jurisdiction of the Town of Wallace, upon second reading.

The bill passes its second reading by roll–call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—46.

Voting in the negative: None.

The bill is ordered placed on the Calendar for Monday, June 3, for further consideration upon third reading.

S.B. 1244, a bill to grant the Town of Wallace a temporary exemption from the total amount of noncontiguous territory that may be annexed, upon second reading.

The bill passes its second reading by roll–call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—46.

Voting in the negative: None.

The bill is ordered placed on the Calendar for Monday, June 3, for further consideration upon third reading.

S.B. 1267, a bill to add New Hanover County to those counties in which a tenant's refusal to perform a contract for the rental of land is grounds for dispossession, upon second reading.

The bill passes its second reading by roll–call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—46.

Voting in the negative: None.

The bill is ordered placed on the Calendar for Monday, June 3, for further consideration upon third reading.

S.B. 1113, a bill to change the date for the oath of office for members of the Richmond County Board of Education.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1169, a bill to allow the Cumberland County Board of Education to permit the use of public school buses to serve the transportation needs of the National Forensics League Tournament.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1203, a bill to allow the City of Bessemer City to convey certain described property at private sale.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1218, a bill to authorize the Pender County Board of Education to convey certain property at private sale to the Maple Hill Civic Club, Inc., a nonprofit corporation.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1243, a bill to establish a no–wake zone on a portion of Lake Hickory.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1245, a bill concerning the definition of subdivision for the Town of Rose Hill.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1246, a bill to repeal a section of the Charter of the Town of Landis relating to ABC in conflict with general law.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1278, a bill to allow the City of Jacksonville to require sidewalk improvements through the site plan review process under the authority of the city zoning ordinance.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1280, a bill to permit one-stop voting on direct record voting equipment in Wilson County.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1275 (Committee Substitute), a bill to provide incentives for high quality jobs and business expansion in North Carolina, upon second reading.

Senator McDaniel offers Amendment No. 1, with a fiscal note attached, which is adopted (47–0).

Senator Kerr calls the pervious question, seconded by Senator Rand. The call is sustained.

The Committee Substitute bill, as amended, passes its second reading by roll-call vote, ayes 46, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, and Winner—46.

Voting in the negative: Senator Webster—1.

The Committee Substitute bill, as amended, is ordered placed on the Calendar for Monday, June 3, for further consideration upon third reading.

S.B. 1117, a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to make amendments to the laws governing the Standards Board for Public School Administration and the Public School Administrator Exam.

On motion of Senator Plexico, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second (44–0) and third readings and is ordered engrossed and sent to the House of Representatives.

S.B. 1159, a bill to remove language requiring an attorney's opinion and written statement in appeals by indigents from the Industrial Commission to the North Carolina Court of Appeals.

With unanimous consent, on motion of Senator Gulley, consideration of the bill is postponed until Wednesday, June 5.

S.B. 843 (House Committee Substitute), a bill to revise the statutes regarding antitrust law to ensure that these provisions are internally consistent and consistent with federal antitrust laws, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (46–0) and the measure is ordered enrolled.

On motion of Senator Basnight, seconded by Senator Sherron, the Senate adjourns at 1:40 P.M. to meet Monday, June 3, at 7:00 P.M.

ONE HUNDRED TWENTY-SECOND DAY

SENATE CHAMBER
Monday, June 3, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Almighty God, the Psalmist knew exactly how to start off a day, a week, an important occasion. He began many of his poems by writing 'Bless the Lord, Oh my soul, and all that is within me. Bless His Holy Name.'

"The Psalmist knew that unless we first praise You, O God, we may fall into the temptation of praising each other excessively.

"This week let our light so shine before others that they may see our good works and praise You, our Father, in Heaven. Amen."

Senator Basnight, President *Pro Tempore*, announces the Journal of Thursday, May 30, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Robert P. Majors of Raleigh, who is serving the Senate as Doctor of the Day.

The Chair extends courtesies of the Gallery to Marvin Ward, former Senator from Forsyth County, and his wife June.

ENROLLED BILL

The Enrolling Clerk reports the following bill properly enrolled and it is duly ratified and sent to the Office of the Secretary of State:

S.B. 843 (House Committee Substitute), an act to revise the statutes regarding antitrust law to ensure that these provisions are internally consistent and consistent with federal antitrust laws. (Ch. 550)

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Albertson for the **Agriculture/Environment/Natural Resources Committee**:

H.B. 1078, a bill to clarify the date of the Moratorium Steering Committee's final report and to extend the date that the Joint Legislative Commission on Seafood and Aquaculture is required to report, with a favorable report.

S.B. 1286, a bill to expand the membership of the Forestry Council of the Department of Environment, Health, and Natural Resources and redefine its responsibilities, as recommended by the Environmental Review Commission, with a favorable report.

S.B. 1328, a bill to implement phase one of the restructuring of environmental programs in the Department of Environment, Health, and Natural Resources and to make conforming statutory changes, as recommended by the environmental process action team of the Department of Environment, Health, and Natural Resources and to make clarifying, conforming, and technical amendments to various laws relating to environment, health, and natural resources, as recommended by the Environmental Review Commission, with a favorable report, as amended.

S.B. 1341, a bill to establish a fisheries research center within the Cooperative Institute for Fisheries Oceanography of the University of North Carolina and to require that the Department of Environment, Health, and Natural Resources create an Emergency Fish Kill Response Team to respond to significant fish kills, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Albertson, the proposed Committee Substitute bill A780 is placed before the Senate for immediate consideration, and on his further motion is adopted.

Pursuant to Rule 43, the Committee Substitute bill is re–referred to the **Appropriations Committee**.

By Senator Parnell for the **Commerce Committee:**

S.B. 1163, a bill to implement a recommendation of the Legislative Research Commission's Financial Institutions Issues Committee to amend the North Carolina Reciprocal Interstate Banking Act, with a favorable report.

S.B. 1209, a bill to implement a recommendation of the Legislative Research Commission's Financial Institutions Issues Committee to authorize state–chartered banks, savings and loan associations, and savings banks to observe holidays as determined by their boards of directors, with a favorable report.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Conder and Warren:

S.B. 1439, a bill to appropriate funds for a Community College Challenge Grants Fund.

Referred to **Appropriations Committee**.

By Senator Speed:

S.B. 1440, a bill to appropriate funds to Franklin County for a livestock facility.

Referred to **Appropriations Committee**.

By Senator Ballantine:

S.B. 1441, a bill to provide that a jury in a capital case must be instructed that

a defendant may be entitled to review of the defendant's sentence after serving twenty–five years.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

By Senator Ballantine:

S.B. 1442, a bill to provide that the district attorney may accept a first degree murder plea as a noncapital offense with aggravating factors.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

By Senator Hoyle:

S.B. 1443, a bill to establish a minimum rate chargeable by local pay telephone providers to ensure that those providers can pass sales taxes on to the customer in the same manner as other local telephone providers.

Referred to **Appropriations Committee**.

By Senators Perdue and Warren:

S.B. 1444, a bill to appropriate funds to the Department of Human Resources for the North Carolina Senior Games Program.

Referred to **Appropriations Committee**.

By Senators Perdue, Plyler, Odom, Martin of Pitt, and Warren:

S.B. 1445, a bill to appropriate funds for exhibits for the new North Carolina State Museum of Natural Sciences.

Referred to **Appropriations Committee**.

By Senator Perdue:

S.B. 1446, a bill to appropriate funds to the Department of Cultural Resources for the construction of the Core Sound Waterfowl Museum.

Referred to **Appropriations Committee**.

By Senators Perdue, Winner, Dannelly, Albertson, Cooper, Martin of Guilford, and Warren:

S.B. 1447, a bill to appropriate funds for domestic violence and rape crisis/sexual assault programs.

Referred to **Appropriations Committee**.

By Senators Lucas and Warren:

S.B. 1448, a bill to appropriate funds for continued research by the Institute for the Study of Minority Issues at North Carolina Central University.

Referred to **Appropriations Committee**.

By Senators Martin of Pitt and Warren:

S.B. 1449, a bill to appropriate funds for the expenses of "The Lost Colony" Historical Drama.

Referred to **Appropriations Committee**.

By Senators Plyler and Conder:

S.B. 1450, a bill to appropriate funds for industrial development in Scotland County.

Referred to **Appropriations Committee**.

By Senators Plyler, Perdue, Odom, Rand, and Ballantine:

S.B. 1451, a bill to appropriate funds to meet the maintenance requirements of the State ports.

Referred to **Appropriations Committee**.

By Senators Plyler, Odom, Blackmon, Dannelly, and Winner:

S.B. 1452, a bill to appropriate funds for a regional facility to serve developmentally disabled children.

Referred to **Appropriations Committee**.

By Senators Lucas, Gulley, and Warren:

S.B. 1453, a bill to appropriate funds for the development and implementation at Hillside Model High School of a model site–based management program.

Referred to **Appropriations Committee**.

By Senator Perdue:

S.B. 1454, a bill to appropriate funds to reward excellence in teaching.

Referred to **Appropriations Committee**.

By Senator Perdue:

S.B. 1455, a bill to appropriate funds to the Department of Human Resources for the Child Advocacy Institute.

Referred to **Appropriations Committee**.

By Senators Perdue and Warren:

S.B. 1456, a bill to appropriate funds to establish a reserve for land acquisition for cultural, historical, and educational sites.

Referred to **Appropriations Committee**.

By Senators Cooper, Soles, Speed, Lucas, Kerr, Gulley, Perdue, Plyler, Hoyle, Martin of Pitt, Winner, Dannelly, Jordan, Albertson, Rand, Conder, Odom, Hobbs, Plexico, Edwards, Sherron, Parnell, and Martin of Guilford:

S.B. 1457, a bill to appropriate funds to implement certain changes recommended by the Smart Start audit to the Early Childhood Initiatives Program.

Referred to **Appropriations Committee**.

By Senators Martin of Guilford, Hoyle, Rand, and Gulley:

S.B. 1458, a bill to allow a food tax credit for individuals with low or moderate incomes.

Referred to **Finance Committee**.

By Senators Martin of Guilford and Gulley:

S.B. 1459, a bill to appropriate funds to the North Carolina Child Advocacy Institute for operating expenses.

Referred to **Appropriations Committee**.

By Senators Odom, Plyler, Perdue, Plexico, and Warren:

S.B. 1460, a bill to appropriate funds for the expansion of the Interdisciplinary Diabetes Program at the School of Medicine at the University of North Carolina at Chapel Hill.

Referred to **Appropriations Committee**.

By Senators Albertson, Speed, Soles, Dannelly, Carpenter, Davis, Horton, Kerr, Winner, Hoyle, Perdue, Jordan, Warren, Odom, Hobbs, Plexico, Cooper, Parnell, Sherron, Lucas, Edwards, Carrington, McDaniel, Martin of Guilford, Rand, Blackmon, Ledbetter, Conder, Ballantine, Smith, Kincaid, Gulley, Blust, Clark, Allran, Shaw, Little, East, Webster, Hartsell, Martin of Pitt, and Plyler:

S.B. 1461, a bill to appropriate funds to community–based alternative services in accordance with recommendations of the Research Triangle Institute's Comprehensive Study of the Division of Youth Services.

Referred to **Appropriations Committee**.

By Senators Albertson, Martin of Pitt, Davis, Speed, and Dannelly:

S.B. 1462, a bill to appropriate funds to the Department of Agriculture for renovation of the L. R. Harrill Youth Center at the State Fairgrounds.

Referred to **Appropriations Committee**.

By Senators Rand and Edwards:

S.B. 1463, a bill to appropriate funds for an early childhood education center at Fayetteville Technical Community College.

Referred to **Appropriations Committee**.

By Senator Rand:

S.B. 1464, a bill to create a pilot program to permit certain local school administrative units to use operating funds for capital expenditures.

Referred to **Education/Higher Education Committee** and upon a favorable report, re–referred to the **Appropriations Committee**.

By Senators Speed, Cooper, Martin of Pitt, Albertson, Soles, Kerr, Warren, and Edwards:

S.B. 1465, a bill to appropriate funds to the Department of Human Resources to pave the road at the Eastern North Carolina School for the Deaf in Wilson.

Referred to **Appropriations Committee**.

By Senators McDaniel, Page, Ballantine, Carrington, Cochrane, Forrester, Blust, Hartsell, Carpenter, Horton, Smith, Ledbetter, Clark, Shaw, Foxx, Kincaid, Simpson, Blackmon, Webster, Little, Davis, East, and Allran:

S.B. 1466, a bill to direct the Employment Security Commission to refund to employers moneys in the Employment Security Commission Reserve Fund, to repeal the tax on employer contributions, and to repeal the Employment Security Commission Reserve Fund and the Worker Training Trust Fund.

Referred to **Finance Committee** and upon a favorable report, re–referred to the **Appropriations Committee**.

By Senator Ballance:

S.B. 1467, a bill to authorize the financing of capital improvements at Correction Enterprises facilities.

Referred to **Appropriations Committee**.

By Senators Ballance, Lucas, Jordan, and Gulley:

S.B. 1468, a bill to appropriate funds to correct safety violations at North Carolina Central University.

Referred to **Appropriations Committee**.

By Senators Ballance, Parnell, and Rand:

S.B. 1469, a bill to eliminate waiver of preliminary hearings in parole and post-release supervision revocation proceedings in order to reduce expenditures in the Department of Correction.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

By Senator Sherron:

S.B. 1470, a bill to appropriate funds for economic development in southeast Raleigh.

Referred to **Appropriations Committee**.

By Senators Plexico, Odom, Plyler, Conder, Sherron, Hoyle, Kerr, and Perdue:

S.B. 1471, a bill to appropriate funds for the Legislative Research Commission to study the role of North Carolina in global affairs.

Referred to **Appropriations Committee**.

By Senators Webster, Cochrane, Forrester, Carpenter, East, Davis, Allran, Smith, McDaniel, Simpson, Foxx, Kincaid, Carrington, Blackmon, Ballantine, Shaw, and Blust:

S.B. 1472, a bill to repeal most State privilege license taxes.

Referred to **Finance Committee**.

By Senator Plexico:

S.B. 1473, a bill to direct the State Board of Education to develop a comprehensive plan to improve reading achievement in the public schools and to revise the standard course of study, to direct the State Board of Education to collaborate with the Board of Governors of the University of North Carolina and with private colleges and universities to evaluate and revise teacher certification standards and teacher education programs related to reading instruction, to encourage local boards of education to review and revise their policies, curricula, and professional development programs to emphasize balanced, integrated, and effective programs of reading instruction, and to make an appropriation.

Referred to **Appropriations Committee**.

By Senators Martin of Guilford and Dannelly:

S.B. 1474, a bill to appropriate funds to establish a revolving fund for the purchase of fire protection equipment for adult care homes, group homes, and nursing homes, to require the Department of Human Resources to adopt rules regarding fire protection systems in certain homes, and to change existing law regarding community advisory committees, staff/resident ratio, penalties, and confidentiality of information.

Referred to **Appropriations Committee**.

By Senator Page:

S.B. 1475, a bill to direct the Department of Correction to recommend ways to increase awareness of the Intensive Motivation Program of Alternative Correctional Treatment (IMPACT) and encourage greater use of the Program as an alternative to traditional incarceration.

Referred to **Appropriations Committee**.

By Senators Ledbetter, Clark, and Plexico:

S.B. 1476, a bill to provide for payment of nonbetterment relocation costs of water and sewer lines belonging to joint water and sewer systems in Buncombe and Henderson Counties organized by local governments and nonprofit water or sewer associations.

Pursuant to Resolution 15, the bill is held as filed in the office of the Principal Clerk at the request of the sponsor.

By Senator McKoy:

S.B. 1477, a bill to establish the High School Graduate Education Fund to provide grants to exemplary high school graduates to continue their education.

Referred to **Appropriations Committee**.

By Senator Ballantine:

S.B. 1478, a bill to enhance the punishment imposed for gang–related criminal offenses.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

By Senators Albertson, Warren, Speed, Hoyle, Carpenter, Plexico, Perdue, Kerr, Conder, Foxx, Lucas, Shaw, Martin of Pitt, Odom, Horton, Davis, Page, East, Forrester, and Cochrane:

S.B. 1479, a bill to strengthen the controlled substances laws.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

By Senator Perdue:

S.B. 1480, a bill to establish the Adopt–A–Beach Program.

Referred to **Appropriations Committee**.

By Senator Horton:

S.B. 1481, a bill to make it a Class I felony to forge or to utter a forged identification card.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

By Senators Page, Ballantine, Carrington, Webster, McKoy, McDaniel, Clark, Allran, Carpenter, East, Davis, Forrester, and Ledbetter:

S.B. 1482, a bill to ban partial–birth abortions and to require a twenty–four–hour waiting period and the informed consent of a pregnant woman before abortion may be performed, to require physicians to inform women of medical risks, gestational age, the name of the physician performing the abortion, and certain other information, and to require certain printed materials and reports.

Referred to **Judiciary II/Election Laws Committee** and upon a favorable report, re–referred to the **Appropriations Committee**.

By Senators Winner, Plexico, Cooper, Kerr, and Smith:

S.B. 1483, a bill to appropriate funds to increase the minimum salary for teacher assistants.

Referred to **Appropriations Committee**.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 1081, a bill to modify the membership, qualifications for appointment, and terms of the trustees for Albemarle Hospital in Pasquotank County.
Referred to **Local Government and Regional Affairs Committee.**

H.B. 1112, a bill to authorize the Town of Maxton to convey certain property at private sale to the Historic Preservation Foundation of North Carolina, Inc., a nonprofit corporation.
Referred to **Local Government and Regional Affairs Committee.**

H.B. 1119, a bill to delete the requirement that a company add back to its net worth franchise tax base the amount of its loans that are payable to an unrelated company but are endorsed or guaranteed by a related company, as recommended by the Department of Revenue.
Referred to **Finance Committee.**

H.B. 1125, a bill to allow one-stop ballots to be directly inserted in optical scan tabulators in Wake County as if the ballots were being voted at the precinct.
Referred to **Local Government and Regional Affairs Committee.**

H.B. 1133, a bill to permit one-stop voting on direct record voting equipment in Pasquotank County.
Referred to **Local Government and Regional Affairs Committee.**

H.B. 1173, a bill to allow precinct assistants to work split shifts.
Referred to **Judiciary II/Election Laws Committee.**

H.B. 1215, a bill to authorize the Rockingham Board of Equalization and Review to meet after its formal adjournment.
Referred to **Local Government and Regional Affairs Committee.**

H.B. 1256, a bill to provide staggered terms for the governing board of the Town of Spruce Pine, and concerning the voting power of the Mayor.
Referred to **Local Government and Regional Affairs Committee.**

H.B. 1279, a bill concerning the manner of selecting the Mayor *Pro Tempore* of the Town of Mount Holly.
Referred to **Local Government and Regional Affairs Committee.**

REPORT OF COMMITTEE

A standing committee report is submitted out of the regular order of business, a bill is read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Sherron for the **Finance Committee**:

S.B. 1239, a bill to exempt from sales and use tax free samples of prescription drugs distributed by the manufacturer, with a favorable report.

CALENDAR

Bills and a resolution on tonight's Calendar are taken up and disposed of, as follows:

S.B. 1190, a bill to extend the extraterritorial planning jurisdiction of the Town of Wallace, upon third reading.

The bill passes its third reading by roll–call vote, ayes 50, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—50.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

S.B. 1244, a bill to grant the Town of Wallace a temporary exemption from the total amount of noncontiguous territory that may be annexed, upon third reading.

The bill passes its third reading by roll–call vote, ayes 50, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—50.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

S.B. 1267, a bill to add New Hanover County to those counties in which a tenant's refusal to perform a contract for the rental of land is grounds for dispossession, upon third reading.

The bill passes its third reading by roll–call vote, ayes 50, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—50.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

S.B. 1176, a bill to modify the requirements for making street assessments in Foxfire Villages under certain circumstances, upon second reading.

On motion of Senator Kerr, Committee Amendment No. 1 is adopted, changing the title to read **S.B. 1176**, a bill to modify the requirements for making street assessments in Foxfire Village under certain circumstances.

The bill, as amended, passes its second reading by roll–call vote, ayes 50, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—50.

Voting in the negative: None.

The bill, as amended, is ordered placed on the Calendar for tomorrow, Tuesday, June 4, for further consideration upon third reading.

S.B. 1173 (Committee Substitute), a bill to permit the local Boards of Education in Alleghany and Stokes Counties to schedule longer school days so as to offset days lost due to inclement weather.

Senator Winner offers Amendment No. 1 which is adopted (50–0), changing the title to read **S.B. 1173** (Committee Substitute), a bill to permit the local boards of education of various counties to schedule longer school days so as to offset days lost due to inclement weather.

The Committee Substitute bill, as amended, passes its second (50–0) and third readings and is ordered engrossed and sent to the House of Representatives.

S.B. 1275 (Committee Substitute), a bill to provide incentives for high quality jobs and business expansion in North Carolina, as amended, upon third reading.

Senator Webster offers Amendment No. 2.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides.

Following lengthy debate Senator Kerr calls the previous question on Amendment No. 2, seconded by Senator Rand. The call is sustained (40–9).

Amendment No. 2, offered by Senator Webster, fails of adoption (10–39).

Senator McDaniel offers Amendment No. 3.

Senator Kerr calls the previous question on Amendment No. 3, seconded by Senator Rand. The call is sustained (41–9).

Upon a tie–vote (25–25), Amendment No. 3, offered by Senator McDaniel, fails of adoption for lack of a simple majority.

Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.

Senator Kerr calls the previous question, seconded by Senator Rand. The call is sustained.

The Committee Substitute bill, as amended, passes its third reading by roll–call vote, ayes 49, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue,

Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, and Winner—49.

Voting in the negative: Senator Webster—1.

The Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives.

S.B. 1178 (Committee Substitute), a bill to make technical and conforming changes to the revenue laws and related statutes and to allow the voluntary withholding of income tax from unemployment compensation payments, upon second reading.

The Chair declares the voting equipment inoperative.

The Committee Substitute bill passes its second reading by roll–call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Smith, Soles, Speed, Warren, Webster, and Winner—49.

Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Tuesday, June 4, for further consideration upon third reading.

S.J.R. 1099, a joint resolution honoring the life and memory of Nancy Winbon Chase, former State Legislator.

With unanimous consent, on motion of Senator Kerr, consideration of the joint resolution is postponed until Monday, June 10.

S.B. 1136, a bill to implement the recommendation of the School Capital Construction Study Commission to make permanent the requirement that counties use part of the two half–cent local sales tax proceeds only for public school buildings.

On motion of Senator Kerr, Committee Amendment No. 1 is adopted, changing the title to read **S.B. 1136**, a bill to implement the recommendation of the School Capital Construction Study Commission to make permanent the requirement that counties use part of the two half–cent local sales tax proceeds only for public school capital outlay purposes.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

S.B. 1207 (Committee Substitute), a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to improve the program and services for academically or intellectually gifted students.

The Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives.

The Chair announces the voting equipment is operative.

S.B. 1284, a bill to modify the State ports tax credit by expanding it to include forest products.

The bill passes its second (48–0) and third readings and is ordered sent to the House of Representatives.

The President recognizes the following pages serving in the Senate this week:

Kevin Charles Allen, Raleigh; Angela A. Autry, Elizabethtown; Joseph Buff, New Bern; Jennifer Davis, Havelock; Jennifer Gayle Dowdy, Cary; Raymond Dunn III, New Bern; Taryn LeAnne Ebron, Riegelwood; Jennifer Erb, Havelock; Fenton Tilson Erwin III, Charlotte; Claudine Gerber, Chapel Hill; Zachary Barber Hawes, Jacksonville; Alec Michael Cooper Johnston, Charlotte; Molly Martin King, Raleigh; Andrew David Martin, Pinehurst; Melissa Carolyn Milford, Raleigh; Jessica Rich, New Bern; Joshua Sawyer, New Bern; Sarah Lynn, Shaver, Hillsborough; Donya Latell Slade, Trenton; Amber Ashley Stanley, Raleigh; Jynne Ruth Stowe, Gastonia; Kathyrn A. Taylor, Raleigh; Hilary Katherine Tilden, Pittsboro; Stanley W. West, Jr., Southern Pines; and Margaret Virginia Williamson, Clinton.

On motion of Senator Basnight, seconded by Senator Foxx, the Senate adjourns at 8:53 P.M. to meet tomorrow, Tuesday, June 4, at 2:00 P.M.

ONE HUNDRED TWENTY-THIRD DAY

SENATE CHAMBER
Tuesday, June 4, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Our Father, Holy Scripture tells us that when we hear Your Words and act on them, it is analogous to building one's house on a rock. The rains fall, the winds blow, but the house stands! Our decisions and action when based on Your Word are solid as a rock.

"Everyday we have several options in the way we choose to live our lives. We can throw stones, stumble on them, climb over them, or build atop them.

"This day help us to choose the latter. For Your Sake, Amen."

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Monday, June 3, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Patrick Mullen of Louisburg, who is serving the Senate as Doctor of the Day.

COURTESIES

The Chair recognizes Senator Sherron who offers a motion the rules be suspended to the end guests from the Southern Legislative Conference of the Council of State Governments be granted privileges of the floor, which motion prevails.

The President directs Senator Sherron to escort Patrick Stafford and David C. Payne to the Well of the Senate where he introduces the guests to the President of the Senate and the Senators. Following brief remarks by Patrick Stafford, the President directs the Sergeant–at–Arms to seat the guests at the rear of the Chamber.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

A message received in the office of the Principal Clerk from the House of Representatives transmitting a bill for concurrence is presented to the Senate, read, and disposed of, as follows:

S.B. 294 (House Committee Substitute No. 2), a bill to limit the issuance and renewal of barber certificates, permits, and licenses, to establish late fees for expired certificates, to make certain revisions to the law governing the Board of Barber Examiners and the sanitary rules, and to make conforming changes to the Cosmetic Art Act, for concurrence in the House Committee Substitute bill No. 2, which is placed on the Calendar for tomorrow, Wednesday, June 5.

Messages received in the office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 1185 (Committee Substitute), a bill to provide staggered terms for members of the Board of Commissioners of the Town of Lumber Bridge and provide a four–year term for the Mayor.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1219, a bill to allow the County of Alamance and the cities located in that County to donate unclaimed bicycles to charity.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1231, a bill to include the Counties of Alleghany, Surry, and Watauga among those Counties that require consent of the Board of County Commissioners before land may be condemned or acquired by a unit of local government outside the County.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1358, a bill to authorize the City of Burlington, North Carolina, to convey certain surplus property by private sale to Habitat for Humanity of Alamance County, N. C., Inc.

Referred to **Local Government and Regional Affairs Committee**.

ADDITIONAL ENDORSEMENT

Senator Page requests to be recorded endorsing a bill previously introduced:

S.B. 1438, a bill to reduce the *per diem* of legislators living within fifty miles of Raleigh by the amount that State employees are allowed for hotels on in–State official travel.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 1176, a bill to modify the requirements for making street assessments in Foxfire Villages under certain circumstances, as amended, upon third reading.

The bill, as amended, passes its third reading by roll–call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—48.

Voting in the negative: None.

The bill, as amended, is ordered engrossed and sent to the House of Representatives.

S.B. 1178 (Committee Substitute), a bill to make technical and conforming changes to the revenue laws and related statutes and to allow the voluntary withholding of income tax from unemployment compensation payments, upon third reading.

The Committee Substitute bill passes its third reading by roll–call vote, ayes 50, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—50.

Voting in the negative: None.

The Committee Substitute bill is ordered sent to the House of Representatives.

S.B. 1163, a bill to implement a recommendation of the Legislative Research Commission's Financial Institutions Issues Committee to amend the North Carolina Reciprocal Interstate Banking Act.

With unanimous consent, on motion of Senator Warren, consideration of the bill is postponed until Thursday, June 6.

S.B. 1209, a bill to implement a recommendation of the Legislative Research Commission's Financial Institutions Issues Committee to authorize state–chartered banks, savings and loan associations, and savings banks to observe holidays as determined by their boards of directors.

With unanimous consent, on motion of Senator Warren, consideration of the bill is postponed until Thursday, June 6.

S.B. 1239, a bill to exempt from sales and use tax free samples of prescription drugs distributed by the manufacturer.

With unanimous consent, on motion of Senator Plyler, the bill is re–referred to the **Appropriations Committee**.

REPORTS OF COMMITTEES

Standing committee reports are submitted out of the regular order of business, bills are read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Sherron for the **Finance Committee**:

S.B. 1317, a bill to provide for the continued solvency of the Commercial Leaking Petroleum Underground Storage Tank Cleanup Fund and to make other changes to the Leaking Petroleum Underground Storage Tank Cleanup Program, as recommended by the Environmental Review Commission, with a favorable report.

S.B. 1348, a bill to create the Well Contractors and Pump Contractors Certification Commission, to amend the well drillers and pump installers registration requirements, and to make various amendments to the Well Construction Act, as recommended by the Environmental Review Commission, with a favorable report.

By Senator Cooper for the **Judiciary I/Constitution Committee**:

S.B. 1295, a bill to clarify eligibility under the Salary Continuation Plan for employees of the Department of Correction, with a favorable report.

By Senator Gulley for the **Judiciary II/Election Laws Committee**:

H.B. 1089 (Committee Substitute), a bill to remove language requiring an attorney's opinion and written statement in appeals by indigents from the Industrial Commission to the North Carolina Court of Appeals and to clarify the procedure for such indigent appeals, with a favorable report.

H.B. 1090, a bill to remove the requirement for workers' compensation coverage for subcontractors with no employees, with a favorable report.

H.B. 1173, a bill to allow precinct assistants to work split shifts, with a favorable report.

S.B. 1119, a bill to provide for holding the canvass for primaries and elections on the third rather than the second day after election day, with a favorable report, as amended.

S.B. 1235, a bill to authorize clerks to allocate spouse's and children's year's allowance from a decedent's estate, with a favorable report, as amended.

Pursuant to Rule 45.1, the bill is placed before the Senate for immediate consideration and Committee Amendment No. 1 is adopted.

The Chair orders the bill, as amended, engrossed and re–referred to the **Finance Committee**.

CALENDAR *(Continued)*

S.B. 1286, a bill to expand the membership of the Forestry Council of the Department of Environment, Health, and Natural Resources and redefine its responsibilities, as recommended by the Environmental Review Commission.

The bill passes its second (50–0) and third readings and is ordered sent to the House of Representatives.

S.B. 1328, a bill to implement phase one of the restructuring of environmental programs in the Department of Environment, Health, and Natural Resources and to make conforming statutory changes, as recommended by the environmental process action team of the Department of Environment, Health, and Natural Resources and to make clarifying, conforming, and technical amendments to various laws relating to environment, health, and natural resources, as recommended by the Environmental Review Commission.

On motion of Senator Albertson, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second (50–0) and third readings and is ordered engrossed and sent to the House of Representatives.

H.B. 1078, a bill to clarify the date of the Moratorium Steering Committee's final report and to extend the date that the Joint Legislative Commission on Seafood and Aquaculture is required to report.

The bill passes its second (50–0) and third readings and is ordered enrolled.

On motion of Senator Basnight, seconded by Senator Conder, Majority Leader, the Senate adjourns at 2:39 P.M. to meet tomorrow, Wednesday, June 5, at 1:30 P.M.

ONE HUNDRED TWENTY-FOURTH DAY

SENATE CHAMBER
Wednesday, June 5, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, paraphrasing from Anne Weems, as follows:

"O Lord, some of us have the widow's mite and some of us have millions and most of us fall somewhere in between.

"We know it's our responsibility to give from what we've been given and You made it very clear that it is not the size of the gift, but the size of the giver's heart that matters.

"O God, You know our treasures and our hearts. We pray today remembering Frank H. Kenan who had much and gave much in order to benefit the universities and young people in our State and across this Nation.

"May our hearts, also, swell to the occasion. Amen."

Senator Soles, Deputy President *Pro Tempore*, announces the Journal of yesterday, Tuesday, June 4, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Millard W. Wester of Henderson, who is serving the Senate as Doctor of the Day.

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it and take its place on the Calendar, as follows:

By Senator Albertson for the **Agriculture/Environment/Natural Resources Committee**:

S.B. 1345, a bill to amend Article 21 of Chapter 143 of the General Statutes to establish permits and an inspection schedule for specified animal operations and to require enhanced communication including a plan to develop site specific management strategies, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Albertson, the rules are suspended, and the proposed Committee Substitute bill 4708, which changes the title to read **S.B. 1345** (Committee Substitute), a bill to establish permits for specified animal waste management systems, to require annual operation reviews for specified animal operations, and to require enhanced communication including a plan to develop site–specific management strategies, is placed before the Senate for immediate consideration.

On motion of Senator Albertson the Committee Substitute bill is adopted, and on his further motion is placed on the Calendar for Thursday, June 6, for further consideration.

ENROLLED BILL

The Enrolling Clerk reports the following bill properly enrolled and it is duly ratified and sent to the Office of the Secretary of State:

H.B. 1078, an act to clarify the date of the Moratorium Steering Committee's final report and to extend the date that the Joint Legislative Commission on Seafood and Aquaculture is required to report. (Ch. 551)

WITHDRAWAL FROM CLERK'S OFFICE

S.B. 1329, a bill to sunset any administrative rule adopted under Chapter 150B of the General Statutes ten years after the rule became effective, ordered held in the office of the Principal Clerk on May 27 pending referral to committee.

Pursuant to Rule 43, Senator Rand, Chairman of the **Rules and Operation of the Senate Committee**, announces referral of the bill to the **Judiciary I/ Constitution Committee**.

The Chair orders the bill recalled from the office of the Principal Clerk and refers the measure to the **Judiciary I/Constitution Committee.**

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 1158, a bill to provide for holding the canvass for primaries and elections on the third rather than the second day after election day.

The Chair orders, without objection, the bill temporarily displaced.

H.B. 1189, a bill to implement a recommendation of the Legislative Research Commission's Financial Institutions Issues Committee to authorize State–chartered banks, savings and loan associations, and savings banks to observe holidays as determined by their boards of directors.

Referred to **Commerce Committee.**

H.B. 1190, a bill to implement a recommendation of the Legislative Research Commission's Financial Institutions Issues Committee to amend the North Carolina Reciprocal Interstate Banking Act.

Referred to **Commerce Committee.**

H.B. 1220, a bill to establish qualifications for the positions of State Personnel Director and human resources directors of State agencies, departments, and institutions.

Referred to **Children and Human Resources Committee.**

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 294 (House Committee Substitute No. 2), a bill to limit the issuance and renewal of barber certificates, permits, and licenses, to establish late fees for expired certificates, to make certain revisions to the law governing the Board of Barber Examiners and the sanitary rules, and to make conforming changes to the Cosmetic Art Act, for concurrence in the House Committee Substitute bill No. 2.

With unanimous consent, on motion of Senator Rand, the House Committee Substitute bill No. 2 is taken up out of its regular order of business, and on his further motion consideration of the measure is postponed until Tuesday, June 11.

S.B. 1119, a bill to provide for holding the canvass for primaries and elections on the third rather than the second day after election day.

On motion of Senator Gulley, Committee Amendment No. 1 is adopted.

The Chair orders, without objection, the bill temporarily displaced.

H.B. 1158, a bill to provide for holding the canvass for primaries and elections on the third rather than the second day after election day, received as a message from the House of Representatives and temporarily displaced earlier today.

On motion of Senator Gulley, the rules are suspended to the end, the bill is placed before the Senate for immediate consideration upon its passage.

The bill passes its second its second (29–21) and third readings and is ordered enrolled.

S.B. 1159, a bill to remove language requiring an attorney's opinion and written statement in appeals by indigents from the Industrial Commission to the North Carolina Court of Appeals.

With unanimous consent, on motion of Senator Ballance, the bill is recommitted to the **Judiciary II/Election Laws Committee**.

INTRODUCTION

Senator Horton offers a motion that Rule 40 be suspended to allow the introduction of the following joint resolution which motion prevails by a two–thirds majority vote:

By Senator Horton:

S.J.R. 1484, a joint resolution authorizing the 1995 General Assembly, 1996 Session, to consider a joint resolution honoring the memory of James Gordon Hanes, Jr., former State Senator and industrialist.

On motion of Senator Horton, the rules are suspended to the end the joint resolution is placed before the Senate for immediate consideration upon its passage.

The joint resolution passes its second (50–0) and third readings and is ordered, with unanimous consent, sent to the House of Representatives by special messenger.

With unanimous consent, on motion of Senator Basnight, the Senate recesses at 2:04 P.M. for the purpose of a **Pensions and Retirement/Insurance/State Personnel Committee** meeting to reconvene at 2:09 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

REPORT OF COMMITTEE

A standing committee report is submitted out of the regular order of business, a bill is read by its title, together with the report accompanying it and takes its place on the Calendar, as follows:

By Senator Soles for the **Pensions and Retirement/Insurance/State Personnel Committee**:

S.B. 1393, a bill to clarify the status of certified employees of the Mecklenburg County and Catawba County Sheriffs' Offices for eligibility for benefits afforded to law enforcement officers through the North Carolina Local Governmental Employees' Retirement System, with a favorable report.

CALENDAR *(Continued)*

S.B. 1348, a bill to create the Well Contractors and Pump Contractors Certification Commission, to amend the well drillers and pump installers registration requirements, and to make various amendments to the Well Construction Act, as recommended by the Environmental Review Commission.

With unanimous consent, on motion of Senator Odom, the bill is taken up out of its regular order of business, and on his further motion consideration of the bill is postponed until Monday, June 10.

S.B. 1295, a bill to clarify eligibility under the Salary Continuation Plan for employees of the Department of Correction.

The bill passes its second reading (49–0).

Senator Odom objects to the third reading of measure. Pursuant to Rule 50, the Chair orders the measure placed on the Calendar for tomorrow, Thursday, June 6, for further consideration upon third reading.

S.B. 1317, a bill to provide for the continued solvency of the Commercial Leaking Petroleum Underground Storage Tank Cleanup Fund and to make other changes to the Leaking Petroleum Underground Storage Tank Cleanup Program, as recommended by the Environmental Review Commission.

Senator Blackmon offers Amendment No. 1.

With unanimous consent, on motion of Senator Blackmon, the rules are suspended to grant George Givens of the Research Division privileges of the floor to assist in answering questions relative to the measure.

Amendment No. 1, offered by Senator Blackmon, is adopted (39–11).

Senator McDaniel offers Amendment No. 2, with a fiscal note attached.

Senator Cooper offers Amendment No. 3, perfecting Amendment No. 2, which is adopted (50–0).

Senator Sherron offers a motion the bill, as amended, be re–referred to the **Agriculture/Environment/Natural Resources Committee**, which motion fails to prevail.

Amendment No. 2, offered by Senator McDaniel, is adopted (47–3).

Senator Clark offers Amendment No. 4, to perfect Amendment No. 1. The Chair rules Amendment No. 4, out of order and Senator Clark subsequently withdraws Amendment No. 4.

Senator Kerr calls the previous question, seconded by Senator Hoyle.

Senator Smith requests to be excused from voting on the bill, as amended. Pursuant to Rule 29(e), the Chair rules the request out of order as Senator Smith previously debated the measure.

The call for the previous question is sustained.

The bill, as amended, passes its second reading (47–2).

Senator Clark objects to the third reading and pursuant to Rule 50, the Chair orders the bill, as amended, placed on the Calendar for tomorrow, Thursday, June 6, for further consideration upon third reading.

H.B. 1089 (Committee Substitute), a bill to remove language requiring an attorney's opinion and written statement in appeals by indigents from the Industrial Commission to the North Carolina Court of Appeals and to clarify the procedure for such indigent appeals.

The Committee Substitute bill passes its second (48–1) and third readings and is ordered enrolled.

REPORT OF COMMITTEE

A standing committee report is submitted out of the regular order of business, bills are read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Jordan for the **Local Government and Regional Affairs Committee**:

H.B. 1230, a bill to amend the Charter of Maggie Valley dealing with land–use powers and to reflect that the Town has adopted the manager form of government, with a favorable report.

S.B. 1307, a bill to allow Wilson County to acquire property for use by its County Board of Education, with a favorable report.
With unanimous consent, the bill is re–referred to the **Finance Committee**.

S.B. 1330, a bill to incorporate the Town of Sedalia, with a favorable report.
With unanimous consent, the bill is re–referred to the **Finance Committee**.

S.B. 1360, a bill to confirm that Stanly County may purchase and convey property to the State of North Carolina for use as a correctional facility, with a favorable report.

S.B. 1365, a bill concerning modification of the municipal limits between the City of Raleigh and the Town of Garner, with a favorable report.
With unanimous consent, the bill is re–referred to the **Finance Committee**.

S.B. 1374, a bill to authorize the Town of Cerro Gordo to convey by private sale certain property to Eugene Green, with a favorable report.

S.B. 1378, a bill authorizing Durham County to enter into contracts to construct sidewalks within the County's jurisdiction, with a favorable report.

S.B. 1385, a bill to authorize the Durham City Council to determine the number of regular meetings of the City Council to be held each month, with a favorable report.

S.B. 1389, a bill to deannex and detach a small area of land from the corporate limits of the City of Albemarle, North Carolina, with a favorable report.
With unanimous consent, the bill is re–referred to the **Finance Committee**.

S.B. 1399, a bill authorizing Columbus County to enter into leases for terms not longer than twenty years, with a favorable report.

S.B. 1400, a bill to provide for a referendum in Brunswick County on the questions of changing the terms of office of the Brunswick County Board of Commissioners and the Brunswick County Board of Education from two years to four years, with a favorable report.

S.B. 1409, a bill to establish the criminal offenses in Montgomery County of trespass on pine straw production land and larceny of pine straw, with a favorable report, as amended.

CALENDAR *(Continued)*

H.B. 1090, a bill to remove the requirement for workers' compensation coverage for subcontractors with no employees.

The bill passes its second reading (48–0).

With unanimous consent, the bill remains before the Senate for further consideration upon third reading.

Following debate, Senator Winner offers a motion the bill be placed on the Calendar for tomorrow, June 6, for further consideration upon third reading which motion prevails with unanimous consent.

The Chair orders the bill placed on the Calendar for Thursday, June 6, upon third reading.

H.B. 1173, a bill to allow precinct assistants to work split shifts.

The bill passes its second (50–0) and third readings and is ordered enrolled.

REPORTS OF COMMITTEES

Standing committee reports are submitted out of the regular order of business, bills are read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Sherron for the **Finance Committee**:

H.B. 1165, a bill to increase giving to charitable nonprofit organizations by exempting from sales and use tax tangible personal property that is manufactured or purchased for resale by a wholesale merchant or a retailer and then donated to a charitable nonprofit organization, by expanding the State corporate income tax deduction for charitable contributions, and by providing an income tax credit for certain charitable contributions by individuals who cannot deduct the contributions because they do not itemize, with a favorable report.

S.B. 1198, a bill to clarify the requirements concerning imports and exports of motor fuel under the "tax at the rack" laws and to make other adjustments to those laws, with a favorable report.

By Senator Cooper for the **Judiciary I/Constitution Committee**:

H.B. 910, a bill to require the use of certain safety equipment by children when they are bicycle operators or passengers, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Cooper, the rules are suspended, and the proposed Senate Committee Substitute bill 4249 is placed before the Senate for immediate consideration, and on his further motion is adopted.

On motion of Senator Cooper, the Senate Committee Substitute bill is placed on the Calendar for Tuesday, June 11, for further consideration.

COMMITTEE REFERRAL RECALL

S.B. 1108, a bill to provide that chocolate milk that is exempt from soft drink tax is not required to register with the Department of Revenue for the exemption, referred to the **Finance Committee** on May 14.

Pursuant to Rule 47(b), Senator Kerr offers a motion the bill be taken from the **Finance Committee** and re-referred to the **Appropriations Committee**, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Finance Committee** and refers the measure to the **Appropriations Committee**.

CALENDAR *(Continued)*

S.B. 1119, a bill to provide for holding the canvass for primaries and elections on the third rather than the second day after election day, temporarily displaced earlier.

With unanimous consent, on motion of Senator Gulley, the bill is recommitted to the **Judiciary II/Election Laws Committee**.

The Chair extends courtesies of the floor to Elaine Marshall, former Senator from Harnett County.

On motion of Senator Basnight, seconded by Senator Carrington, the Senate adjourns at 4:00 P.M. to meet tomorrow, Thursday, June 6, at 1:00 P.M.

ONE HUNDRED TWENTY-FIFTH DAY

SENATE CHAMBER
Thursday, June 6, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Neal Carter, Pastor of Beulaville Presbyterian Church in Beulaville, as follows:

"Eternal God, we commend our State to Your merciful care, that we may live securely in peace and may be guided by Your Providence. Give all in authority the wisdom and strength to know Your Will and to do it. Defend our liberties and give those whom we have entrusted with the authority of government the spirit of wisdom. Make every person in authority an agent of reconciliation, and every diplomat an ambassador of hope. Help them remember that they are called to serve the people as lovers of truth and justice. Help the citizens of this State also to recognize their responsibilities in seeking truth and justice.

"Be with Senator Ledbetter and his family today as they mourn the loss of his eighty-three-year-old sister.

"Bless our State with honest industry, sound learning, and an honorable way of life. As Mark Twain said that there is no unimportant life, may our State policies

reflect that sentiment that there is no life story in our State that is unimportant. Teach us that we are all children of Your Love. Give us peace, hope, and mercy today, tomorrow, and forevermore. Amen."

Senator Soles, Deputy President *Pro Tempore*, announces the Journal of yesterday, Wednesday, June 5, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Dan Albright of Raleigh, who is serving the Senate as Doctor of the Day.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Jordan for the **Local Government and Regional Affairs Committee**:

S.B. 1171, a bill to allow Surry County to acquire property for use by its County Board of Education, with a favorable report.
With unanimous consent, the bill is re-referred to the **Finance Committee**.

S.B. 1172, a bill to authorize the Rockingham Board of Equalization and Review to meet after its formal adjournment, with a favorable report.

S.B. 1174, a bill to allow Rockingham County to acquire property for use by its County Board of Education and to clarify the filing date for members of the Rockingham County Consolidated Board of Education, with a favorable report.

S.B. 1213, a bill to allow cancellation by exhibition of a note secured by a deed of trust or mortgage in Buncombe County regardless of the date of endorsement, with a favorable report.

S.B. 1221, a bill relating to sales of seized, unclaimed property by the City of Winston-Salem, with a favorable report.

S.B. 1222, a bill amending the Charter of the City of Winston-Salem relating to the sale of property, with a favorable report.

S.B. 1223, a bill relating to the daily deposit of collections and receipts by the City of Winston-Salem, with a favorable report.

S.B. 1319, a bill to allow the City of Reidsville to delay the effective date of annexations as to a specified tract and to exempt the annexation of Two City Lakes from the ceiling on satellite annexations, with a favorable report.
With unanimous consent, the bill is re-referred to the **Finance Committee**.

S.B. 1377, a bill establishing the Harmon Field Board of Supervisors for administration of Harmon Field located in Polk County, with a favorable report.

S.B. 1392, a bill to annex a described area to the Town of Aberdeen, with a favorable report.

With unanimous consent, the bill is re-referred to the **Finance Committee**.

S.B. 1397, a bill to incorporate the Village of Sloop Point in Pender County, with a favorable report.

With unanimous consent, the bill is re-referred to the **Finance Committee**.

S.B. 1412, a bill to reinstate the "no wake zone" within one hundred fifty yards of Seafood World in Topsail Sound and to repeal the prohibition on "no wake zones" in Pender County, with a favorable report.

S.B. 1202, a bill to include Alleghany County and Surry County among those counties that require consent of the board of county commissioners before land may be condemned or acquired by a unit of local government outside the county, with a favorable report, as amended.

Pursuant to Rule 45.1, the bill is placed before the Senate for immediate consideration and Committee Amendment No. 1 is adopted, changing the title to read **S.B. 1202**, a bill to include Alleghany County and Surry County among those counties that require consent of the board of county commissioners before land may be condemned or acquired by a unit of local government outside the county and to permit Surry County to construct an emergency medical services building.

The Chair orders the bill, as amended, engrossed and re-referred to the **Finance Committee**.

S.B. 1313, a bill to incorporate the Town of Castle Hayne, subject to a referendum, with a favorable report, as amended.

Pursuant to Rule 45.1, the bill is placed before the Senate for immediate consideration and Committee Amendment No. 1 is adopted.

The Chair orders the bill, as amended, engrossed and re-referred to the **Finance Committee**.

S.B. 1405, a bill to create a new offense of third degree trespass in Surry County, with a favorable report, as amended.

S.B. 1396, a bill to amend the Nursing Home Advisory Committee law and the ombudsman law as it affects New Hanover County, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Jordan, the rules are suspended, and the proposed Committee Substitute bill 1828 is placed before the Senate for immediate consideration, and on his further motion, is adopted.

With unanimous consent, the Committee Substitute bill is placed on the Calendar for Monday, June 10, for further consideration.

By Senator Speed for the **Transportation Committee**:

S.B. 1181, a bill to allow utility poles carried on side-loaders to extend more than three feet beyond the front bumper of the vehicle, with a favorable report, as amended.

S.B. 1270, a bill to authorize the Department of Transportation to establish speed limits up to seventy miles per hour on designated parts of controlled access highways, with a favorable report.

S.B. 1294, a bill to conform the motor vehicle laws to the federal deregulation of trucking and to make technical changes to the motor vehicle laws, with a favorable report.

By Senator Albertson for the **Agriculture/Environment/Natural Resources Committee**:

S.B. 1314, a bill to improve water quality by establishing a goal to reduce the average load of nitrogen delivered to the Neuse River Estuary from point and nonpoint sources by thirty percent of the average annual load for the period 1991 through 1995 by the year 2001 and to require the Environmental Management Commission to develop a plan to achieve this goal, as recommended by the Environmental Review Commission, with a favorable report.

S.B. 1351, a bill to develop riparian buffers to protect water quality and natural resources, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Albertson, the proposed Committee Substitute bill 6687 is placed before the Senate for immediate consideration, and on his further motion is adopted.

Pursuant to Rule 43, the Committee Substitute bill is re–referred to the **Appropriations Committee**.

By Senator Plexico for the **Education/Higher Education Committee**:

S.B. 1220, a bill to repeal the local pay date for the Kings Mountain schools, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Plexico, the rules are suspended, and the proposed Committee Substitute bill 8733, which changes the title to read **S.B. 1220** (Committee Substitute), a bill to repeal the local pay dates for certain employees of various local school administrative units, is placed before the Senate for immediate consideration.

On motion of Senator Plexico, the Committee Substitute bill is adopted.

With unanimous consent, the Committee Substitute bill is placed on the Calendar for Monday, June 10, for further consideration.

By Senator Perdue for the **Appropriations Committee**:

S.B. 1108, a bill to provide that chocolate milk that is exempt from soft drink tax is not required to register with the Department of Revenue for the exemption, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Perdue, the rules are suspended, and the proposed Committee Substitute bill 8734, which changes the title to read **S.B. 1108** (Committee Substitute), a bill to provide that milk products that are exempt from the soft drink tax are not required to register with the Department of Revenue for the exemption, is placed before the Senate for immediate consideration.

On motion of Senator Perdue, the Committee Substitute bill is adopted.

With unanimous consent, the Committee Substitute bill is placed on the Calendar for Monday, June 10, for further consideration.

S.B. 1122, a bill to repeal the sunset on designation of Employment Security Commission offices as voter registration agencies and to provide for funding, with a favorable report.

S.B. 1239, a bill to exempt from sales and use tax free samples of prescription drugs distributed by the manufacturer, with a favorable report.

By Senator Sherron for the **Finance Committee**:

H.B. 1119, a bill to delete the requirement that a company add back to its net worth franchise tax base the amount of its loans that are payable to an unrelated company but are endorsed or guaranteed by a related company, as recommended by the Department of Revenue, with a favorable report.

S.B. 1379, a bill authorizing Durham County to increase its fee for issuing weapons permits or licenses, with a favorable report.

S.B. 1380, a bill authorizing Durham County to accept payments in lieu of required street and sidewalk construction, with a favorable report.

S.B. 1386, a bill to amend the Charter of the City of Durham to allow payment of assessments over a longer period and at a reduced interest rate in cases of special financial hardship, with a favorable report, as amended.

S.B. 678 (Committee Substitute), a bill to allow money credited to the Consumer Protection Fund to be used to retain experts for hearings and to require that money recovered from delinquency proceedings or civil actions against the Commissioner be credited to the Fund, with an unfavorable report as to Committee Substitute bill No. 1, as written by the **Pensions and Retirement/Insurance/ State Personnel Committee,** but favorable as to Committee Substitute bill No. 2.

On motion of Senator Sherron, the rules are suspended, and the proposed Committee Substitute bill No. 2, 4710, is placed before the Senate for immediate consideration, and on his further motion is adopted.

With unanimous consent, the Committee Substitute bill No. 2 is placed on the Calendar for Monday, June 10, for further consideration.

CALENDAR

S.B. 1400, a bill to provide for a referendum in Brunswick County on the questions of changing the terms of office of the Brunswick County Board of Commissioners and the Brunswick County Board of Education from two years to four years, on today's Calendar.

With unanimous consent, on motion of Senator Soles, the bill is taken up out of its regular order of business, and on his further motion consideration of the bill is postponed until Thursday, June 13.

REPORTS OF COMMITTEES *(Continued)*

By Senator Gulley for the **Judiciary II/Election Laws Committee**:

S.B. 1228, a bill to allow community penalties programs to obtain criminal record checks of targeted offenders, with a favorable report.

Pursuant to Rule 43, the bill is re–referred to the **Finance Committee**.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 1147, a bill to update the reference to the Internal Revenue Code used in defining and determining certain State tax provisions.

Referred to **Finance Committee**.

H.B. 1159, a bill to repeal the sunset on designation of Employment Security Commission offices as voter registration agencies and to provide for funding.

Referred to **Judiciary II/Election Laws Committee** and upon a favorable report, re–referred to the **Appropriations Committee.**

H.B. 1291, a bill recommended by the Legislative Study Commission on Welfare Reform to correct the law regarding the food stamp felony fraud threshold.

Referred to **Judiciary II/Election Laws Committee**.

ENROLLED BILLS

The Enrolling Clerk reports the following bills properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

H.B. 1089 (Committee Substitute), an act to remove language requiring an attorney's opinion and written statement in appeals by indigents from the Industrial Commission to the North Carolina Court of Appeals and to clarify the procedure for such indigent appeals. (Ch. 552)

H.B. 1158, an act to provide for holding the canvass for primaries and elections on the third rather than the second day after election day. (Ch. 553)

H.B. 1173, an act to allow precinct assistants to work split shifts. (Ch. 554)

CALENDAR

S.B. 1345 (Committee Substitute), a bill to establish permits for specified animal waste management systems, to require annual operation reviews for specified animal operations, and to require enhanced communication including a plan to develop site–specific management strategies, on today's Calendar.

With unanimous consent, on motion of Senator Perdue, the Committee Substitute bill is taken up out of its regular order of business, and on her further

motion the Committee Substitute bill is recommitted to the **Agriculture/ Environment/Natural Resources Committee**.

H.B. 1165, a bill to increase giving to charitable nonprofit organizations by exempting from sales and use tax tangible personal property that is manufactured or purchased for resale by a wholesale merchant or a retailer and then donated to a charitable nonprofit organization, by expanding the State corporate income tax deduction for charitable contributions, and by providing an income tax credit for certain charitable contributions by individuals who cannot deduct the contributions because they do not itemize, on today's Calendar.

With unanimous consent, on motion of Senator Plyler, the bill is taken up out of its regular order of business and on his further motion the bill is re–referred to the **Appropriations Committee**.

COMMITTEE REFERRAL RECALL

S.J.R. 1210, a joint resolution honoring the memory of James Gordon Hanes, Jr., former State Senator and industrialist, referred to the **Rules and Operation of the Senate Committee**, on May 16.

Pursuant to Rule 47(b), Senator Rand offers a motion the joint resolution be taken from the **Rules and Operation of the Senate Committee** and placed on the Calendar for Monday, June 10, which motions he subsequently withdraws.

CALENDAR

S.B. 1295, a bill to clarify eligibility under the Salary Continuation Plan for employees of the Department of Correction, on today's Calendar, upon third reading.

With unanimous consent, on motion of Senator Odom, the bill is taken up out of its regular order of business, and on his further motion consideration of the bill is postponed until Tuesday, June 11.

COMMITTEE REFERRAL RECALL

H.B. 1190, a bill to implement a recommendation of the Legislative Research Commission's Financial Institutions Issues Committee to amend the North Carolina Reciprocal Interstate Banking Act, referred to the **Commerce Committee** on June 5.

Pursuant to Rule 47(b), Senator Parnell offers a motion the bill be taken from the **Commerce Committee** and placed on today's Calendar immediately following **S.B. 1163** which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Commerce Committee** and places it on today's Calendar immediately following **S.B. 1163** for consideration upon its passage.

H.B. 1189, a bill to implement a recommendation of the Legislative Research Commission's Financial Institutions Issues Committee to authorize state–chartered banks, savings and loan associations, and savings banks to observe holidays as determined by their boards of directors, referred to the **Commerce Committee** on June 5.

Pursuant to Rule 47(b), Senator Parnell offers a motion the bill be taken from

the **Commerce Committee** and placed on today's Calendar immediately following **S.B. 1209** which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Commerce Committee** and places it on today's Calendar immediately following **S.B. 1209** for consideration upon its passage.

CALENDAR

S.B. 1163, a bill to implement a recommendation of the Legislative Research Commission's Financial Institutions Issues Committee to amend the North Carolina Reciprocal Interstate Banking Act, on today's Calendar.

With unanimous consent, on motion of Senator Parnell, the bill is taken up out of its regular order of business, and upon his further motion the Chair orders the bill temporarily displaced.

S.B. 1209, a bill to implement a recommendation of the Legislative Research Commission's Financial Institutions Issues Committee to authorize state–chartered banks, savings and loan associations, and savings banks to observe holidays as determined by their boards of directors, on today's Calendar.

With unanimous consent, on motion of Senator Parnell, the bill is taken up out of its regular order of business, and upon his further motion the Chair orders the bill temporarily displaced.

WITHDRAWAL FROM CALENDAR

S.B. 1400, a bill to provide for a referendum in Brunswick County on the questions of changing the terms of office of the Brunswick County Board of Commissioners and the Brunswick County Board of Education from two years to four years, placed earlier today on the Calendar for Thursday, June 13.

Senator Soles offers a motion the bill be taken from the Calendar for Thursday, June 13, and placed on the Calendar for Wednesday, June 12, which motions prevail with unanimous consent.

The Chair orders the bill taken from the Calendar for Thursday, June 13, and places it on the Calendar for Wednesday, June 12, for consideration upon its passage.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 1374, a bill to authorize the Town of Cerro Gordo to convey by private sale certain property to Eugene Green, upon second reading.

The bill passes its second reading by roll–call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, and Winner—48.

Voting in the negative: None.

The bill is ordered placed on the Calendar for Monday, June 10, for further consideration upon third reading.

S.B. 1360, a bill to confirm that Stanly County may purchase and convey property to the State of North Carolina for use as a correctional facility.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1378, a bill authorizing Durham County to enter into contracts to construct sidewalks within the County's jurisdiction.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1385, a bill to authorize the Durham City Council to determine the number of regular meetings of the City Council to be held each month.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1393, a bill to clarify the status of certified employees of the Mecklenburg County and Catawba County Sheriffs' Offices for eligibility for benefits afforded to law enforcement officers through the North Carolina Local Governmental Employees' Retirement System.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1399, a bill authorizing Columbus County to enter into leases for terms not longer than twenty years.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1409, a bill to establish the criminal offenses in Montgomery County of trespass on pine straw production land and larceny of pine straw.

On motion of Senator Jordan, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered engrossed and sent to the House of Representatives.

H.B. 1230, a bill to amend the Charter of Maggie Valley dealing with land–use powers and to reflect that the Town has adopted the manager form of government.

The bill passes its second and third readings and is ordered enrolled.

S.B. 1198, a bill to clarify the requirements concerning imports and exports of motor fuel under the "tax at the rack" laws and to make other adjustments to those laws, upon second reading.

The bill passes its second reading by roll–call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—48.

Voting in the negative: None.

The bill is ordered placed on the Calendar for Monday, June 10, for further consideration upon third reading.

H.B. 1190, a bill to implement a recommendation of the Legislative Research Commission's Financial Institutions Issues Committee to amend the North Carolina Reciprocal Interstate Banking Act, placed earlier today on the Calendar.

The bill passes its second (48–0) and third readings and is ordered enrolled.

H.B. 1189, a bill to implement a recommendation of the Legislative Research Commission's Financial Institutions Issues Committee to authorize state–chartered banks, savings and loan associations, and savings banks to observe holidays as determined by their boards of directors, placed earlier today on the Calendar.

The bill passes its second (49–0) and third readings and is ordered enrolled.

S.B. 1163, a bill to implement a recommendation of the Legislative Research Commission's Financial Institutions Issues Committee to amend the North Carolina Reciprocal Interstate Banking Act, temporarily displaced earlier.

With unanimous consent, on motion of Senator Perdue the bill is recommitted to the **Commerce Committee**.

S.B. 1209, a bill to implement a recommendation of the Legislative Research Commission's Financial Institutions Issues Committee to authorize state–chartered banks, savings and loan associations, and savings banks to observe holidays as determined by their boards of directors, temporarily displaced earlier.

With unanimous consent, on motion of Senator Parnell the bill is recommitted to the **Commerce Committee**.

NOTICE OF INTENTION TO RECALL

S.B. 1338, a bill to repeal the increase in the corporate income tax enacted in 1991, referred to the **Finance Committee** on May 27.

Senator McDaniel rises and gives notice, pursuant to Rule 47, of his intention to recall the bill from the **Finance Committee**.

S.B. 1337, a bill to repeal the increase in the individual income tax enacted in 1991, referred to the **Finance Committee** on May 27.

Senator McDaniel rises and gives notice, pursuant to Rule 47, of his intention to recall the bill from the **Finance Committee**.

CALENDAR *(Continued)*

S.B. 1317, a bill to provide for the continued solvency of the Commercial Leaking Petroleum Underground Storage Tank Cleanup Fund and to make other changes to the Leaking Petroleum Underground Storage Tank Cleanup Program, as recommended by the Environmental Review Commission, as amended, upon third reading.

Senator Clark offers Amendment No. 5 to amend the bill as amended by Amendment No. 1.

Senator Blackmon calls the previous question, seconded by Senator Odom. The call is sustained.

Amendment No. 5, offered by Senator Clark, is adopted (47–1).

The bill, as amended, passes its third reading (46–2).

The bill, as amended, is ordered engrossed and sent to the House of Representatives.

H.B. 1090, a bill to remove the requirement for workers' compensation coverage for subcontractors with no employees, upon third reading.

The bill passes its third reading and is ordered enrolled.

On motion of Senator Basnight, seconded by Senator Ballance, the Senate adjourns at 2:13 P.M. in recognition, honor, and commemoration of World War II D–Day to meet Monday, June 10, at 7:00 P.M.

ONE HUNDRED TWENTY–SIXTH DAY

SENATE CHAMBER
Monday, June 10, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, paraphrasing a prayer by Peter Marshall, as follows:

"Almighty God, without You we can do nothing and with You all things are possible. Never let our personal pride or strong wills keep us from confessing that revelation.

"In the important decisions that must be made this week, help us, O Lord, when we want to do the right thing—but don't know yet what it is. Help us most when we know very well what we ought to do and don't want to do it.

"Have mercy on us and help us, O God. In Your Most Holy Name, we pray, Amen."

With unanimous consent, the President grants leaves of absence for tonight to Senator Winner.

Senator Basnight, President *Pro Tempore*, announces the Journal of Thursday, June 6, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Eugene M. Bozymski of Chapel Hill, who is serving the Senate as Doctor of the Day.

COURTESIES

With unanimous consent, on motion of Senator McDaniel, privileges of the floor are extended to Stephen Thomas Reeves and his parents, Mr. and Mrs. Thomas Reeves.

The Chair recognizes Senator Basnight, President *Pro Tempore*, who appoints Senator McDaniel of Forsyth, Senator Horton of Forsyth, Senator Cochrane of

Davie, and Senator Sherron of Wake to escort the guests to the Well of the Senate. The guests are received by the Senate standing.

With unanimous consent on motion of Senator Cochrane, the remarks of Senator McDaniel and Lieutenant Governor Wicker, congratulating Stephen Thomas Reeves, and the remarks of Stephen Thomas Reeves are spread upon the Journal, as follows:

By Senator McDaniel:

"Thank you, Mr. President. This is a distinct honor. I am going to introduce to you today one of the distinguished citizens of this State, Mr. Stephen Reeves. He is truly the embodiment of the American dream. He is an example of an individual who has achieved, with his talents, all that God has given him. He is the motivation coach for the West Forsyth High School Titan Football Team. He received a varsity letter at West Forsyth for his help with that team of perennial football power.

"Since 1994, he has made over one hundred presentations in the community on behalf of the United Way and the Arc of Forsyth County telling his story, 'I Am a Person First.' He was recognized by the Winston–Salem Mayor's Council for Persons with Disabilities as the 1995 Youth Volunteer of the Year. He serves as an usher and a soloist at Trinity Friends Church and has delivered a sermon there. He is a volunteer for the Food Bank, the Sherwood Forest Elementary School, and the Disability Resource Center. He has been nominated, appropriately enough, to carry the Olympic Torch.

"This is an individual who just received his graduation certificate from West Forsyth High School, the first in history. The State of North Carolina—and I'm reading this as a commendation to you Stephen:

> The State of North Carolina, be it known to all, that the Senate of the North Carolina General Assembly presents this certificate of acknowledgment and congratulations to **Stephen Thomas Reeves** in recognition of your graduation from West Forsyth High School and your tenacity and persistence in achieving this milestone in your life. This tenth day of June 1996 signed myself, Senator Betsy Cochrane, Senator Hamilton Horton, and on behalf of the entire North Carolina Senate, the President of the Senate, Lieutenant Governor Dennis Wicker."

Senator McDaniel presents the certificate to Mr. Reeves and the Senate responds with an ovation.

By Stephen Thomas Reeves:

"Thank you, for letting me come and thanks for letting Mark say that speech for me; and I'm so happy. I'm excited for the flag; and I'm excited because I'm going to hold the torch in the Olympics; and thanks for letting me come tonight to speak for ya'll; and I'm going to like it tonight. And please, I wanna be a country singer and I'm going to Nashville to be like my brother, Clay Walker."

The Senate responds with an ovation.

By Lieutenant Governor Wicker:

"Stephen, on behalf of the Senate we want to present you with the North

Carolina Flag. We believe the North Carolina Flag symbolizes your courage, your dedication, and we certainly want you to know you are an inspiration to each and every one of us in this State. We love you and we wish you the best of luck. Thank you, very much for sharing your story with us tonight. Thank you. "

The committee escorts the guests from the Chamber with the Senate standing.

COURTESIES

Senator Ballance rises to a point of personal privilege and offers the following remarks:

"Mr. President, we have with us, by invitation, tonight Mr. Chance D. Lynch, a twelve–year–old student from Eastman Middle School in Halifax County. He is a young orator and I'd like permission to invite him to the Well of the Senate to make a few remarks to this Senate."

With unanimous consent, Senator Basnight, appoints Senator Ballance, Senator Lucas, and Senator Parnell, and Senator Cochrane to escort Mr. Lynch to the Well of the Senate. The guest is received by the Senate standing.

With unanimous consent, on motion of Senator Basnight, the remarks of Senator Ballance, Mr. Lynch, and Lieutenant Governor Wicker are spread upon the Journal, as follows:

By Senator Ballance:

"Thank you, Mr. President. This young man, as I said, is twelve years of age. His mother is here—Mrs. Donna Lynch is seated in the gallery. She is a member of the Halifax County Board of Education. His father is here, Mr. Wayne Lynch, and we'd ask that he be allowed to film as he is already doing. Mr. President, this young man—I have heard him speak on several occasions—he is a great orator. He was a little nervous tonight so he wrote his speech down, but he might put it aside. I'd like at this time to present to the Senate, Mr. Chance D. Lynch."

By Chance D. Lynch:

"Good evening, Mr. President and Members of the Senate. First, giving honor to God for my being here today and to be able to share in this special occasion, truly it is an honor to be able to be in your presence.

"Our text this evening comes from one of the familiar parables of our Lord and Master, found in the Eleventh Chapter of the Gospel as recorded by Luke.

> And he said to them, 'Which of you shall have a friend, and go to him at midnight and say to him, friend, lend me three loaves; for a friend of mine has come to me on his journey and I have nothing to set before him.' And he will answer from within and say, 'Do not trouble me; the door is now shut, and my children are with me in bed. I cannot rise and give to you.'

"As you read on, you will note the man did rise and give the man as many loaves as he needed. Not only did he rise because he was his friend, but because of his importunities.

"Now this is a parable dealing with the power of persistent prayer. And as I look within this parable, I see within it a basic outline and a basic guide in dealing

with many of the problems that we confront in our nation and in the world today. Now, the first thing we notice about this parable that it's midnight. It is also midnight in our world today. And we are experiencing a darkness so deep that we can hardly see which way to turn. It's midnight.

"It's midnight in the social order. And you see, the real danger is, if we don't change our course in this world, all of the modern weapons of warfare will soon inspire to bring an untimely death to the human race on this globe. It's midnight!

"The late President Kennedy said, 'Mankind must put an end to war or war will put a end to mankind.' Not only is it midnight in man's collective life, it's midnight in his individual life. It's midnight in the psychological order. People are more worried, more frustrated, more bewildered today than in any period in the human history. So many of us find those clouds of anxiety floating in our mental skies. The psychiatric wards of our hospitals are full today. So many today are using drugs and alcohol to solve their problems, but, not only is it midnight in the social and psychological order, it is midnight in the moral order. It is midnight.

"Midnight is a time when all colors lose their distinctiveness, and everything merely becomes a dirty shade of gray. In the sense of the moral order, midnight is a time when all moral values lose their distinctiveness. So in our world today, for so many people, there's nothing absolutely right—nothing absolutely wrong—it's just the matter of what the majority of people are doing. Over and over again we see this. Most people live by the philosophy 'everybody is doing it' so it must be right. It's midnight in the moral order. You know, midnight is a time when everybody is trying to get by. And some of us also live by the philosophy 'the only thing right is to get by, the only thing wrong is to get caught.' It's midnight in the social order. It's midnight in the psychological order. It's midnight in the moral order. But, as in the parable, so in our world today, the deep darkness of midnight is interrupted by a knock.

"The parable talked about this man seeking three loaves of bread, physical bread. In our world today, men and women are in search of three loaves of spiritual bread. They want the bread of faith. So many people have lost faith in themselves; they've lost faith in their neighbor; they've lost faith in God. And in the midst of this faithlessness, they find themselves crying out, 'O Lord, I believe, but help Thy my unbelief.' They want the bread of faith.

"And in the midst of this faithlessness there is a quest for the bread of hope. Everybody needs this bread—everybody wants it! When you stop hoping, you die. And yet, so many people have lost hope today. They feel they have nothing to look forward to. So many young people have become cynical. They see all the problems of the world. So many young men feel that there is nothing to look forward to in life, but going to jail. They want the bread of hope.

"And in the midst of this hopelessness, there's a quest for the bread of love. Everybody needs this bread. First, we need it in two ways. First, we need to learn how to love. A great problem of mankind is still there is too much hatred around. We've got to learn to love. Second way is more than anything else, we have to learn to love ourselves. That is our obligation.

"My elected officials, you have the bread of life. Keep the bread fresh. Don't let it get stale, because somebody's coming by here to try to find a little bread. Some young man who has made a mistake in life, caught up in tragic guilt feelings, gonna come by here one day. Somebody who has made a mistake in life, some young person who tried to drown the guilt feelings by finding the answer elsewhere gonna come by here one day. They tried to find it in a night club; they didn't find

it there. They tried to find it in excessive drinking; they didn't find it there. They tried to find it in sexual promiscuity; they didn't find it there. But one day they are coming by here and keep the bread fresh enough to let them know. They are gonna be worried about bad health, and they're gonna be worried about little death. They need a little bread to tide them over, one day they're coming by. Keep the bread fresh enough to let them know—they don't have to worry about death if they love God. Keep the bread fresh enough to let them know that death is not a period which ends this great sentence of life, but a comma that punctuates it to mellifluous significance. Keep the bread fresh enough to let them know that death is not a blind alley that leads the human race into a state of nothingness, but an open door that leads man into life eternal. Keep the bread fresh enough to crowd one day.

"I am persuaded that neither life nor death, angels nor principalities, things present nor things to come, can separate us from the love of God which is in Christ Jesus our Lord. Keep the bread fresh.

"My last point is that man, who knocked on the door, was just trying to get enough bread to tide him over until the dawn. He knew the morning would come. I want to leave with you this evening this thought—many people in this State are depending on you to keep their bread fresh. My elected officials, may God bless you, and may Heaven smile upon you."

The Senate acknowledges the remarks of Mr. Lynch with applause.

Lieutenant Governor Wicker:

"We certainly, on behalf of the Senate want to, also, present you with a State flag. I hope that you're as proud of it, and I know that you are, as we are of you. We appreciate you coming by and displaying and sharing with us your oratory skills. He told me he wrote that speech. And I'm going to tell you something—don't let anybody talk you out of borrowing that speech as you leave the Chamber—okay? We're very proud of you. Good luck and Godspeed to you. Thank you very much for sharing it with us."

ENROLLED BILLS

The Enrolling Clerk reports the following bills properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

H.B. 1090, an act to remove the requirement for workers' compensation coverage for subcontractors with no employees. (Ch. 555)

H.B. 1189, an act to implement a recommendation of the Legislative Research Commission's Financial Institutions Issues Committee to authorize State-chartered banks, savings and loan associations, and savings banks to observe holidays as determined by their boards of directors. (Ch. 556)

H.B. 1190, an act to implement a recommendation of the Legislative Research Commission's Financial Institutions Issues Committee to amend the North Carolina Reciprocal Interstate Banking Act. (Ch. 557)

H.B. 1230, an act to amend the Charter of Maggie Valley dealing with land-use powers and to reflect that the Town has adopted the manager form of government. (Ch. 558)

INTRODUCTION

Senator Horton offers a motion that Rule 40 be suspended to allow the introduction of the following joint resolution filed tonight, which motions prevails by a two–thirds majority vote.

By Senator Horton:

S.J.R. 1485, a joint resolution honoring the memory of James Gordon Hanes, Jr., former State Senator and industrialist.

On motion of Senator Horton, the joint resolution is placed before the Senate for immediate consideration and on his further motion the joint resolution is read in its entirety.

With unanimous consent, on motion of Senator Cochrane, the remarks of the Senators memorializing the life and memory of James Gordon Hanes, Jr., are spread upon the Journal, as follows:

By Senator Horton:

"Thank you, Mr. President. As the Members of this Body have heard, Gordon Hanes was a former member of this Chamber. He died August thirty–first of last year at the age of seventy–nine. His was a full life, lived with great gusto, unfailing humor, and unstinting service to others. I won't dwell in his rise on the business world, but to head one of the State's largest industries, retiring as Chairman of the Board in 1978; nor will I dwell on his well–known elective service to this State as one of our Senators from Forsyth County during the 1963 and 1965 Sessions. He was here when we moved to these new Chambers, and it was during that time that he shuffled it through this Body the adoption of the Uniform Commercial Code, and fought for a higher minimum wage and for the conservation of all of our natural resources.

"But let me do mention a lesser–known and perhaps more profoundly significant aspect to his life, and that was his sharing of his earthly goods with all of his fellow North Carolinians. In all of this he exemplified the motto 'Esse Quam Videre' because he never sought the limelight in his giving, never made a gift for a personal income tax deduction. Rather he moved directly to where people were hurting and quietly helped.

"When the Black Panthers appeared in Winston–Salem causing consternation and a no little anxiety in our community—which always thought that race relations were just fine, thank you—the people in the Panthers organization were surprised one day to find Gordon Hanes walking up their walk. He sat down with them, heard their concerns, listened to what their grievances were, and quietly set about helping. He began contributing to their ambulance service and continued for a number of years and changed that organization. In fact, it wasn't until after he died that it was developed that he had quietly helped go through law school one of the former Black Panthers in our community.

"When he was in East Africa, he went to the Olduvai Gorge where old Dr. Leakey, who discovered the very earliest of mankind's remains, and visited there and noticed that they didn't have any electric lights. After the visit and after he had returned, somehow, somewhere, they found an electric generator, thanks to Gordon Hanes. Electric lights were for the first time there in that great anthropologist's camp.

"He was great fun, often outrageous wit who held and defended with tenacity and charm opinions that were unpopular, sometimes even unique, and he poked

fun at himself over it. He was in England one time and had a coat of arms designed for himself and the motto he chose was 'Often wrong, but never in doubt.'

"But perhaps Gordon Hanes will be remembered by our State as a whole for his immense contribution to the Arts. He is the leading patron of the North Carolina Museum of Art having contributed more than one hundred and thirty works to that collection. And his personal searching out and acquiring of an incredible collection of African and Egyptian art gave us something that, given the rules of the customs service these days, we'll probably never be able to equal again. He served on the Board of Trustees of the Museum of Art for eighteen years, seven as its Chairman, and was intimately involved in the move from the old Art Gallery down here off of Capitol Square to the new one out on Blue Ridge Road. And he brought recognition to North Carolina and its arts community through his appointments to the Collections Committee and the Trustees Council of the National Gallery of Arts and the National Center of the Whitney Museum in New York, as well as the Directorship for the Folger Shakespeare Library.

"It is well, Mr. President, that the Senate do honor to the life and memory of this titan whose love and his contribution to his native State has had few parallels. His community of Forsyth County and this State have suffered a great loss. May flights of angels wing him to his rest.

"He is survived by his wife of fifty–four years, seated in the gallery, his son James Gordon Hanes III, Eldridge Copenhaver Hanes who is following him in a public career, seated with him and his wife, Jane, and a daughter Margaret Drewry, Countess Von Nostitz.

"Mr. President, I would move that this Senate do rise for a moment of silence in honor of this great member, a former member, of this Body."

All Members and guests stand for a moment of silence.

"Thank you."

By Senator Cochrane:

"Mr. President, ladies and gentlemen of the Senate, there is a creed or motto used by the Jaycees of North Carolina that says that 'Service to mankind is the best work of life.' I believe that Gordon Hanes lived that motto."

By Senator Conder:

"Thank you, Mr. President, and ladies and gentlemen of the Senate. I first met Gordon Hanes back in the 1960s. We had a hosiery mill in Richmond County, it was named Sandhurst Mills. Billy Ed Entwistle was President of Sandhurst Mills at the time. And we were just a small fledgling community back in the 60s and the hosiery mill was doing well, and that's why Gordon wanted it. So he came down and bought Sandhurst Mills in Rockingham. He not only, he bought the mill, but he changed the entire industrial lifestyle in our County. The only thing we don't like about it, Reg, he took a lot of our talent away from us and moved it up to Winston–Salem in Billy Ed Entwistle and Bill Rawls and June Cheek. I can go on and on and on and tell you the people that he took and went with him. But we really appreciate in Richmond County what Gordon Hanes did for us. He took small Sandhurst Mills and turned it into a real large hosiery mill, one of the most modern in the world at the time. It was operated by the Hanes Corporation.

"I remember Gordon very well. He was not only an industrialist, but he was a humanitarian. He was a man of unquestioned integrity, and we loved him dearly

and I'm certain that you folks have a tremendous memory of Gordon Hanes and so do we in Richmond County. Thank you, very much."

By Senator Sherron:

"Mr. President and Members of the Senate, Gordon Hanes I met in the early '70s. And one of the most remarkable things that most people seem to overlook and I think it was probably one of the greatest monuments to his contribution to North Carolina. He loved our park system. He gave more land to Stone Mountain than any person in North Carolina. He was also very interested, Senator Basnight, in the Nature and Historic Preserve. He gave freely of his money and his time. He has been—we're really going to miss one of the great benefactors. And I am proud to stand and say that I knew him as a friend. Thank you."

By Senator Rand:

"Mr. President, ladies and gentlemen of the Senate, I got to know Gordon Hanes, I guess, in the 1980s when he would call and talk about the appropriations for the Art Museum. He would always come by or call and talk about things to improve the quality of life for everybody. He was the kind of man that wanted to make our State a little better or our lives a little kinder. North Carolina is the wonderful place it is, Mr. President, because of men like Gordon Hanes. Thank you."

By Senator Basnight:

"Thank you, Mr. President, Senators, I did not personally know Gordon Hanes; vicariously I knew him. I had read about him; I had heard about him from other people. And we all realize that his contributions were many. We know that he was an industrialist, certainly a civic leader, a member of our Body. We realize that he served on many boards, Ham, and commissions in his community and here, and in this State. And that he helped us graciously and he was very generous to those who were downtrodden in life and did not have as much as many others did.

"But I see him and remember him from the conversations that I heard about him and his involvement in my region of the State of Currituck County in the Outer Banks. And that he was a great lover of the environment, of the wild, of what many different species that we have and we love, and we cherish so much and that we try to protect and leave some semblance of what they were and what we saw in the past and what he dreamed of.

"He was a great North Carolinian and much like Frank Kenan that recently passed away, all leaders will do so, and have. He is of a comparable nature. He is a person who wanted life better for all individuals regardless of who they were or what station in life they may find theirselves. We had a great North Carolinian among us like many in the past. But unfortunately it does not look like the future gives the same type of people. Hopefully, many of our children of today can follow the legacy of people, the great people of North Carolina. And I certainly place him in the numbers of the greatest that we had. And to the Hanes family, Reg, your mom, your sister, and your brother, thank you for letting us have him."

Upon the appearance of Senator Winner in the Chamber, the Chair acknowledges her presence and the leave of absence granted previously is withdrawn.

The joint resolution unanimously passes its second reading (50–0) and third reading with members standing and is ordered sent to the House of Representatives.

The Chair extends courtesies of the gallery to Helen Greever Copenhaver Hanes, and Eldridge C. Hanes and his wife, Jane, the family of James Gordon Hanes, Jr.

REPORT OF COMMITTEE

Bills are reported from a standing committee, read by their titles, together with the reports accompanying them, and take take their place on the Calendar, as follows:

By Senator Parnell for the **Commerce Committee:**

S.B. 1182, a bill to enforce economy in State printing costs and to promote opportunities for increased privatization of printing, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Parnell, the rules are suspended, and the proposed Committee Substitute bill 4709 is placed before the Senate for immediate consideration, and on his further motion, is adopted.

With unanimous consent, the Committee Substitute bill is placed on the Calendar for Tuesday, June 11, for further consideration.

H.B. 361 (Committee Substitute), a bill to authorize the Department of Commerce to pledge block grant funds as loan guarantees pursuant to the Housing and Community Development Act, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Parnell, the rules are suspended, and the proposed Senate Committee Substitute bill 1374, which changes the title, upon concurrence, to read **H.B. 361** (Senate Committee Substitute), a bill to amend the Section 108 Loan Guarantee Program laws and the laws governing industrial revenue bonds, is placed before the Senate for immediate consideration.

On motion of Senator Parnell, the Senate Committee Substitute bill is adopted.

With unanimous consent, the Senate Committee Substitute bill is placed on the Calendar for Tuesday, June 11, for further consideration.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

A message and a special message received in the office of the Principal Clerk from the House of Representatives transmitting a bill and a joint resolution for concurrence are presented to the Senate, read, and disposed of, as follows:

S.B. 1014 (Committee Substitute), a bill requiring criminal history record checks of unlicensed applicants for employment in nursing homes and domiciliary homes, for concurrence in the House Committee Substitute bill No. 2, which changes the title, upon concurrence, to read **S.B. 1014** (House Committee Substitute No. 2), a bill requiring criminal history record checks of unlicensed applicants for employment in nursing homes, adult care homes, and home care agencies.

Recommitted to **Judiciary I/Constitution Committee.**

S.J.R. 1394, a joint resolution authorizing the 1995 General Assembly, 1996 Session, to consider a bill to be entitled an act to provide that marriages

contracted outside of this State between persons of the same gender are not valid in various counties, for concurrence in the House Committee Substitute joint resolution, which changes the title, upon concurrence, to read **S.J.R. 1394** (House Committee Substitute), a joint resolution authorizing the 1995 General Assembly, 1996 Session, to consider a bill to be entitled an act to provide that marriages contracted outside of this State between persons of the same gender are not valid.

On motion of Senator Forrester, the rules are suspended without objection, and the House Committee Substitute joint resolution is placed before the Senate for immediate consideration, upon concurrence.

Receiving a two–thirds majority affirmative vote, the Senate concurs in the House Committee Substitute joint resolution (46–2) and the measure is ordered enrolled.

Messages and a special message received in the office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 1100 (Committee Substitute), a bill to implement the recommendation of the School Capital Construction Study Commission to authorize the issuance of general obligation bonds of the State, subject to a vote of the qualified voters of the State, to provide funds for grants to counties for public school capital outlay projects, in order to promote equity in local school facilities across the State and to enable local governments to give local property tax relief, and to ensure that certain grants for school facility needs continue to be made in accordance with the 1988 priority list.

Referred to **Education/Higher Education Committee** and upon a favorable report, re–referred to the **Finance Committee.**

H.B. 1102, a bill to implement the recommendation of the School Capital Construction Study Commission to direct the State Board of Education and the Local Government Commission to modify their accounting and reporting systems to allow tracking of local expenditures in schools' capital outlay funds, to direct the State Board of Education to develop a uniform system for schools to develop five–year capital needs plans, and to amend the School Budget and Fiscal Control Act.

Referred to **Finance Committee**.

H.B. 1122, a bill to allow Swain County to employ attachment or garnishment and to obtain a lien for ambulance services.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1171 (Committee Substitute), a bill to provide for legislative confirmation of certain executive appointments and to change the composition, appointments, and terms of various boards, commissions, and authorities within State government.

Referred to **Rules and Operation of the Senate Committee**.

H.B. 1192, a bill to develop a proposal for a reserve fund to pay catastrophic losses as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

H.B. 1200, a bill to revise the participation formula of the North Carolina Insurance Underwriting Association as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

H.B. 1201 (Committee Substitute), a bill to provide that insurers are not required to obtain written consent to rate on each policy renewal as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

H.B. 1202 (Committee Substitute), a bill to conform the law governing small employer health benefit plans to 1995 legislation as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues and to clarify the applicability of certain medical underwriting provisions.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides.

H.B. 1280 (Committee Substitute), a bill to recodify the statute establishing liens on insurance proceeds to secure child support and to provide that such liens are subordinate to liens arising under Article 9 of Chapter 44 of the General Statutes and to other health care provider claims.

Referred to **Judiciary I/Constitution Committee.**

CALENDAR

Bills and a resolution on today's Calendar are taken up and disposed of, as follows:

S.B. 1213, a bill to allow cancellation by exhibition of a note secured by a deed of trust or mortgage in Buncombe County regardless of the date of endorsement.

With unanimous consent, on motion of Senator Ledbetter, the bill is taken up out of its regular order of business and on his further motion, consideration of the bill is postponed until Tuesday, June 11.

S.B. 1374, a bill to authorize the Town of Cerro Gordo to convey by private sale certain property to Eugene Green, upon third reading.

The bill passes its third reading by roll–call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Smith, Soles, Speed, Warren, Webster, and Winner—48.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

S.B. 1377, a bill establishing the Harmon Field Board of Supervisors for administration of Harmon Field located in Polk County, upon second reading.

The bill passes its second reading by roll-call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Smith, Soles, Speed, Warren, Webster, and Winner—48.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Tuesday, June 11, for further consideration upon third reading.

S.B. 1172, a bill to authorize the Rockingham Board of Equalization and Review to meet after its formal adjournment.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 1405, a bill to create a new offense of third degree trespass in Surry County.

With unanimous consent, on motion of Senator Foxx, the bill is taken up out of its regular order of business and on her further motion is recommitted to the **Local Government and Regional Affairs Committee**.

S.B. 1174, a bill to allow Rockingham County to acquire property for use by its County Board of Education and to clarify the filing date for members of the Rockingham County Consolidated Board of Education.

The bill passes its second (49–0) and third (49–0) readings and is ordered sent to the House of Representatives.

S.B. 1220 (Committee Substitute), a bill to repeal the local pay dates for certain employees of various local school administrative units.

The bill passes its second (49–0) and third (49–0) readings and is ordered sent to the House of Representatives.

S.B. 1221, a bill relating to sales of seized, unclaimed property by the City of Winston-Salem.

The bill passes its second (49–0) and third (49–0) readings and is ordered sent to the House of Representatives.

S.B. 1222, a bill amending the Charter of the City of Winston-Salem relating to the sale of property.

The bill passes its second (49–0) and third (49–0) readings and is ordered sent to the House of Representatives.

S.B. 1223, a bill relating to the daily deposit of collections and receipts by the City of Winston-Salem.

The bill passes its second (49–0) and third (49–0) readings and is ordered sent to the House of Representatives.

S.B. 1380, a bill authorizing Durham County to accept payments in lieu of required street and sidewalk construction.

The bill passes its second (49–0) and third (49–0) readings and is ordered sent to the House of Representatives.

S.B. 1386, a bill to amend the Charter of the City of Durham to allow payment of assessments over a longer period and at a reduced interest rate in cases of special financial hardship.

On motion of Senator Sherron, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second (49–0) and third (49–0) readings and is ordered engrossed and sent to the House of Representatives.

S.B. 1396 (Committee Substitute), a bill to amend the Nursing Home Advisory Committee law and the ombudsman law as it affects New Hanover County.

The Committee Substitute bill passes its second (49–0) and third (49–0) readings and is ordered sent to the House of Representatives.

S.B. 1412, a bill to reinstate the "no wake zone" within one hundred fifty yards of Seafood World in Topsail Sound and to repeal the prohibition on "no wake zones" in Pender County.

The bill passes its second (49–0) and third (49–0) readings and is ordered sent to the House of Representatives.

COMMITTEE REFERRAL RECALL

H.B. 1100 (Committee Substitute), a bill to implement the recommendation of the School Capital Construction Study Commission to authorize the issuance of general obligation bonds of the State, subject to a vote of the qualified voters of the State, to provide funds for grants to counties for public school capital outlay projects, in order to promote equity in local school facilities across the State and to enable local governments to give local property tax relief, and to ensure that certain grants for school facility needs continue to be made in accordance with the 1988 priority list, received as a message from the House of Representatives and re–referred to the **Education/Higher Education Committee** earlier today.

Pursuant to Rule 47(b), Senator Winner offers a motion the Committee Substitute bill be taken from the **Education/Higher Education Committee** and re–referred to the **Finance Committee**, which motions prevail with unanimous consent.

The Chair orders the Committee Substitute bill recalled from the **Education/Higher Education Committee** and refers the measure to the **Finance Committee**.

S.B. 1411, a bill to authorize the construction and the financing, without appropriations from the General Fund, of certain capital improvements projects of the constituent institutions of the University of North Carolina and the University of North Carolina Hospitals at Chapel Hill, referred to the **Appropriations Committee** on May 30.

Pursuant to Rule 47(b), Senator Plyler offers a motion the bill be taken from the **Appropriations Committee** and re–referred to the **Finance Committee**, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Appropriations Committee** and refers the measure to the **Finance Committee**.

S.B. 1111, a bill to repeal the thirty–day rule for demanding a refund of an illegal tax, referred to the **Judiciary I/Constitution Committee** on May 14.

Pursuant to Rule 47(b), Senator Cooper offers a motion the bill be taken from the **Judiciary I/ Constitution Committee** and re–referred to the **Finance Committee**, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Judiciary I/Constitution Committee** and refers the measure to the **Finance Committee.**

CALENDAR *(Continued)*

S.J.R. 1099, a joint resolution honoring the life and memory of Nancy Winbon Chase, former State Legislator.

With unanimous consent, on motion of Senator Kerr, the joint resolution is taken up out of its regular order of business, and on his further motion consideration of the joint resolution is postponed until Monday, June 17.

S.B. 1379, a bill authorizing Durham County to increase its fee for issuing weapons permits or licenses.

The bill passes its second (30–19) and third (30–20) readings and is ordered sent to the House of Representatives.

Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.

NOTICE OF INTENTION TO RECALL

The Chair recognizes Senator McDaniel who rises to a point of order under Rule 47 of the necessity to read in the Senate Chamber a notice of intention to recall on three consecutive legislative days.

The Chair rules, pursuant to Rule 47, that public notice of intention to recall only need be announced once in the Senate.

CALENDAR *(Continued)*

S.B. 1198, a bill to clarify the requirements concerning imports and exports of motor fuel under the "tax at the rack" laws and to make other adjustments to those laws, upon third reading.

The bill passes its third reading by roll–call vote, ayes 50, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—50.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

S.B. 678 (Committee Substitute No. 2), a bill to allow money credited to the Consumer Protection Fund to be used to retain experts for hearings and to require that money recovered from delinquency proceedings or civil actions against the Commissioner be credited to the Fund.

The Committee Substitute bill No. 2 passes its second (49–1) and third readings and is ordered sent to the House of Representatives.

S.B. 1108 (Committee Substitute), a bill to provide that milk products that are exempt from the soft drink tax are not required to register with the Department of Revenue for the exemption.

The Committee Substitute bill passes its second (49–0) and third readings and is ordered sent to the House of Representatives.

NOTICE OF INTENTION TO RECALL

S.B. 1304, a bill to phase out over four years the four percent State sales tax on food and reduce the size of State government by authorizing the Governor to freeze hiring for State employees other than education, public safety, public health, and other appropriate positions, referred to the **Finance Committee** on May 27.

Senator Cochrane rises and gives notice, pursuant to Rule 47, of intention to recall the bill from the **Finance Committee**.

CALENDAR *(Continued)*

S.B. 1122, a bill to repeal the sunset on designation of Employment Security Commission offices as voter registration agencies and to provide for funding.

With unanimous consent, on motion of Senator Gulley, the bill is recommitted to the **Judiciary II/ Election Laws Committee**.

S.B. 1181, a bill to allow utility poles carried on side–loaders to extend more than three feet beyond the front bumper of the vehicle.

On motion of Senator Speed, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second (49–1) and third readings and is ordered engrossed and sent to the House of Representatives.

S.B. 1239, a bill to exempt from sales and use tax free samples of prescription drugs distributed by the manufacturer.

The bill passes its second (50–0) and third readings and is ordered sent to the House of Representatives.

S.B. 1270, a bill to authorize the Department of Transportation to establish speed limits up to seventy miles per hour on designated parts of controlled access highways.

Senator Hoyle offers Amendment No. 1 which is adopted (50–0).

The Chair announces the voting equipment inoperative.

The bill, as amended, passes its second reading.

Senator Simpson objects to the third reading of the measure. Pursuant to Rule 50, the Chair orders the measure placed on the Calendar for tomorrow, Tuesday, June 11, for further consideration upon third reading.

The President recognizes the following pages serving in the Senate this week:

Jennifer Lynn Beatty, Stanley; Eric Thomas Boggs, Dallas; Laura Beth Boggs, Fallston; Rebecca Virginia Broughton, Winterville; Elliot Byrne, Raleigh;

Jennnifer Rae Cauble, Gastonia; Ryan Lewis Clark, Stanley; Kayla A. Clayton, Belhaven; Catherine Craig Copenhaver, Winston–Salem; Justin Daniel Cunningham, Salisbury; Joshua Sykes Davis, Elizabeth City; Samuel John Davis, Elizabeth City; Michael Dibbert, Chapel Hill; Christian Elizabeth Dwight, Ellerbe; Charles L. McBryde Grannis, Fayetteville; Matthew B. Gray, Raleigh; John Rickman Hall, Stanley; Leigh Harris, Winterville; Joseph Milton Hodges, Jr., Wallace; Melissa Carol Hogewood, Greensboro; Jennifer Ipock, Gastonia; Christa Veronica Jewell, Elizabeth City; Natalie L. King, Raleigh; Eric Matthew McMillan, Mount Holly; Daniel Y. Parrott, Salisbury; Joshua Coleman Self, Dallas; Heath Eric Spivey, Tabor City; and Elizabeth Burns Wicker, Greensboro.

With bills remaining on the Calendar, on motion of Senator Basnight, seconded by Senator Webster, the Senate adjourns at 9:00 P.M. in memory of Ann Ledbetter Young, sister of Senator Ledbetter of Buncombe, to meet tomorrow, Tuesday, June 11, at 4:00 P.M.

ONE HUNDRED TWENTY–SEVENTH DAY

SENATE CHAMBER
Tuesday, June 11, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Loving God, into each of our minds, You have planted dreams. You have made us dream of lives which contribute something good to the world, lives which count for something.

"But from the world we here things like, 'be realistic' or 'face facts.' The world is tough toward those who have a dream and refuse to relinquish it.

"Help us to hold fast to the dreams You have given us. By Your Grace, turn our dreams into reality. Enable us to see the ways You catch up our lives into the great drama of Your Salvation of the world. Give us the courage *not* to let go of our dreams.

"For Your Sake we pray, Amen."

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Monday, June 10, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Corbett L. Quinn of Magnolia, who is serving the Senate as Doctor of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bill and resolutions properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

S.B. 1243, an act to establish a no-wake zone on a portion of Lake Hickory. (Ch. 559)

S.J.R. 1484, a joint resolution authorizing the 1995 General Assembly, 1996 Session, to consider a joint resolution honoring the memory of James Gordon Hanes, Jr., former State Senator and industrialist. (Res. 16)

S.J.R. 1394 (House Committee Substitute), a joint resolution authorizing the 1995 General Assembly, 1996 Session, to consider a bill to be entitled an act to provide that marriages contracted outside of this State between persons of the same gender are not valid. (Res. 17)

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Cooper for the **Judiciary I/Constitution Committee**:

S.B. 1308, a bill to authorize administrative search warrants to be served at hours other than between 8:00 A.M. and 8:00 P.M. when there is probable cause to believe that the activity that justifies the administrative search warrant will occur at other hours, as recommended by the Environmental Review Commission, with a favorable report, as amended.

S.B. 1241, a bill recommended by the Child Fatality Task Force to improve the definition of "dependent juvenile," with a favorable report.

By Senator Winner for the **Education/Higher Education Committee**:

H.B. 619 (Committee Substitute), a bill to exempt the Charlotte-Mecklenburg, Franklin, Johnston, and Nash School Administrative Units from certain statutory requirements in some school construction contracts, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Winner the proposed Senate Committee Substitute bill 7231, which changes the title, upon concurrence, to read **H.B. 619** (Senate Committee Substitute), a bill to exempt the Franklin, Johnston, and Nash School Administrative Units from certain statutory requirements in some school construction contracts, is placed before the Senate for immediate consideration.

On motion of Senator Winner, the Senate Committee Substitute bill is adopted, and on her further motion is re-referred to the **Finance Committee**.

H.B. 881, a bill to provide an alternative method of teacher certification, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Winner, the proposed Senate Committee Substitute bill 8203, which changes the title, upon concurrence, to read **H.B. 881** (Senate

Committee Substitute), a bill to authorize the Legislative Research Commission to study alternative methods of teacher certification, is placed before the Senate for immediate consideration.

On motion of Senator Winner, the Senate Committee Substitute bill is adopted, and on her further motion is re–referred to the **Appropriations Committee.**

CALENDAR

Bills on the Calendar carried forward as unfinished business from Monday, June 10, are taken up and disposed of, as follows:

S.B. 1294, a bill to conform the motor vehicle laws to the federal deregulation of trucking and to make technical changes to the motor vehicle laws.

Senator Gulley offers Amendment No. 1 which is adopted (49–1).

The bill, as amended, passes its second (49–1) and third readings and is ordered engrossed and sent to the House of Representatives.

S.B. 1348, a bill to create the Well Contractors and Pump Contractors Certification Commission, to amend the well drillers and pump installers registration requirements, and to make various amendments to the Well Construction Act, as recommended by the Environmental Review Commission.

With unanimous consent, on motion of Senator Odom, the bill is taken up out of its regular order of business, and on his further motion, consideration of the bill is postponed until the last order of business.

S.B. 1314, a bill to improve water quality by establishing a goal to reduce the average load of nitrogen delivered to the Neuse River Estuary from point and nonpoint sources by thirty percent of the average annual load for the period 1991 through 1995 by the year 2001 and to require the Environmental Management Commission to develop a plan to achieve this goal, as recommended by the Environmental Review Commission.

Following debate, on motion of Senator Horton, the Chair orders, without objection, the bill temporarily displaced.

S.B. 1213, a bill to allow cancellation by exhibition of a note secured by a deed of trust or mortgage in Buncombe County regardless of the date of endorsement, on general orders for today.

Wit unanimous consent, on motion of Senator Ledbetter, the bill is taken up out of its regular order of business, and on his further motion, the bill is re–referred to the **Judiciary I/Constitution Committee.**

H.B. 1119, a bill to delete the requirement that a company add back to its net worth franchise tax base the amount of its loans that are payable to an unrelated company but are endorsed or guaranteed by a related company, as recommended by the Department of Revenue.

The bill passes its second (50–0) and third readings and is ordered enrolled.

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 1377, a bill establishing the Harmon Field Board of Supervisors for administration of Harmon Field located in Polk County, upon third reading.

The bill passes its third reading by roll–call vote, ayes 50, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—50.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

S.B. 1348, a bill to create the Well Contractors and Pump Contractors Certification Commission, to amend the well drillers and pump installers registration requirements, and to make various amendments to the Well Construction Act, as recommended by the Environmental Review Commission, ordered placed as the last order of business, earlier today.

With unanimous consent, on motion of Senator Odom, the bill is taken up out of its regular order of business, and on his further motion, the bill is re–referred to the **Agriculture/Environment/Natural Resources Committee**.

INTRODUCTION

Senator Forrester offers a motion that Rule 40 be suspended to allow the introduction of the following bill filed earlier today, which motions prevails by a two–thirds majority vote.

By Senators Forrester, Conder, Hoyle, Webster, Plyler, Kincaid, Speed, Cochrane, Clark, McDaniel, Ledbetter, East, Ballantine, Horton, Shaw, Blust, Smith, Simpson, Davis, Blackmon, Hartsell, Carpenter, Allran, Carrington, Edwards, Albertson, McKoy, Kerr, Page, and Plexico:

S.B. 1487, a bill to provide that marriages contracted outside of this State between persons of the same gender are not valid.

Referred to **Judiciary I/Constitution Committee**.

RECOGNITION

Senator Little rises to a point of personal privilege and speaks to the volunter program of Pinecrest High School in Moore County. With unanimous consent, her remarks are spread upon the Journal, as follows:

"Thank you, Mr. President. We're very fortunate, those of us here in the Senate, that each week we see young people from across our State serving as pages. We're also fortunate that many of us have had the opportunity to have volunteers come in and work in our offices and do things for us while we are in session. I've been fortunate this Session to have a young man who has volunteered to come into my office who is a student at Pinecrest High School in Moore County. And I would like to tell you, his name is Brandon Leslie, but not only do I want to thank Brandon, but I want to thank all of our young people across the State. The project that he's involved in is a high school class project where

students in his class volunteer each week a certain number of hours in municipal, county government, local governmental agencies, or non–profit organizations.

"I think it's outstanding when we see the wonderful things that many of our young people are doing. We read and hear so often the things that they are doing that are not right, and I think it's important today that we recognize all these young people who come to our Senate and come to the House and work with us every session. And also those many young people across our State out in the community, like Brandon, who give of their time to know and understand what's occurring in government, what's happening within non–profit agencies across our State. And I would like to recognize at this time all of those young people who serve in those many capacities in our State."

REPORTS OF COMMITTEES

Standing committee reports are submitted out of the regular order of business, bills are read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Sherron for the **Finance Committee**:

S.B. 1189, a bill to allow Jones County to acquire property for use by its County Board of Education, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Sherron, the rules are suspended, and the proposed Committee Substitute bill 8736, which changes the title to read **S.B. 1189** (Committee Substitute), a bill to allow Hyde, Jones, Martin, New Hanover, Pitt, Surry, and Wilson Counties to acquire property for use by their County Boards of Education, is placed before the Senate for immediate consideration.

On motion of Senator Sherron, the Committee Substitute bill is adopted.

With unanimous consent, the Committee Substitute bill is placed on the Calendar for Wednesday, June 12, for further consideration.

S.B. 1388, a bill to reduce the State sales tax on food from four percent to three percent with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Sherron, the proposed Committee Substitute bill 7797, which changes the title to read **S.B. 1388** (Committee Substitute), a bill to reduce the State sales tax on food from four percent to three percent, to reduce the corporate income tax rate to seven and one–half percent, and to reduce the excise tax on soft drinks, is placed before the Senate for immediate consideration.

On motion of Senator Sherron, the Committee Substitute bill is adopted, and on his further motion is re–referred to the **Appropriations Committee**.

H.B. 1100 (Committee Substitute), a bill to implement the recommendation of the School Capital Construction Study Commission to authorize the issuance of general obligation bonds of the State, subject to a vote of the qualified voters of the State, to provide funds for grants to counties for public school capital outlay projects, in order to promote equity in local school facilities across the State and to enable local governments to give local property tax relief, and to ensure that certain grants for school facility needs continue to be made in accordance with the

1988 priority list, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Sherron, the rules are suspended, and the proposed Senate Committee Substitute bill 4256 is placed before the Senate for immediate consideration, and on his further motion is adopted.

With unanimous consent, the Senate Committee Substitute bill is placed on the Calendar for Wednesday, June 12, for further consideration.

NOTICE OF INTENTION TO RECALL

S.B. 1028, a bill to require that persons convicted of certain crimes be sentenced to an active punishment of imprisonment, to provide that a person may be sentenced to an intermediate or active punishment for assault on a female, and to amend the law regarding prior convictions and their effect on the prior record level for felony sentencing, referred to the **Judiciary I/Constitution Committee** on May 4, 1995.

Senator Page rises and gives notice, pursuant to Rule 47, of his intention to recall the bill from the **Judiciary I/Constitution Committee**.

REPORTS OF COMMITTEES *(Continued)*

By Senator Gulley for the **Judiciary II/Election Laws Committee**:

S.B. 1126, a bill to allow the appointment in certain circumstances of precinct officials and ballot counters for a precinct who are not registered to vote in that precinct, with a favorable report, as amended.

COMMITTEE REFERRAL RECALL

S.B. 1122, a bill to repeal the sunset on designation of Employment Security Commission offices as voter registration agencies and to provide for funding, referred to the **Judiciary II/Election Laws Committee** on June 10.

Pursuant to Rule 47(b), Senator Gulley offers a motion the bill be taken from the **Judiciary II/Election Laws Committee** and placed on the Calendar for Wednesday, June 12, which motions prevail, with unanimous consent.

The Chair orders the bill recalled from the **Judiciary II/Election Laws Committee** and places it on the Calendar for Wednesday, June 12, for consideration upon its passage.

REPORTS OF COMMITTEES *(Continued)*

By Senator Cooper for the **Judiciary I/Constitution Committee**:

S.B. 1309, a bill to create a new felony offense of assault inflicting serious bodily injury as recommended by the North Carolina Sentencing and Policy Advisory Commission, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Cooper, the proposed Committee Substitute bill 8732, which changes the title to read **S.B. 1309** (Committee Substitute), a bill to create a new felony offense of assault inflicting serious bodily injury as recommended by

the North Carolina Sentencing and Policy Advisory Commission, to increase the punishment for sale of handguns to minors to a Class H felony, and to increase the punishment for sale of controlled substances to persons under age sixteen or pregnant females to a Class D felony, is placed before the Senate for immediate consideration.

On motion of Senator Cooper, the Committee Substitute bill is adopted, and on his further motion is re–referred to the **Appropriations Committee.**

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages and a special message received in the office of the Principal Clerk from the House of Representatives transmitting bills and resolutions are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 1135, a bill to repeal the statute which named "New Road" in Craven County.

Referred to **Local Government and Regional Affairs Committee.**

H.B. 1163 (Committee Substitute), a bill to provide liens on real property for the furnishing of rental equipment.

Referred to **Judiciary I/Constitution Committee.**

H.B. 1164 (Committee Substitute), a bill to provide for lien rights for persons who fabricate dies, molds, forms, or patterns and who fabricate products from dies, molds, forms, or patterns.

Referred to **Judiciary I/Constitution Committee.**

H.B. 1180 (Committee Substitute), a bill to authorize the expansion of the Board of Trustees of the College of the Albemarle.

Referred to **Rules and Operation of the Senate Committee.**

H.B. 1191, a bill to provide additional coverage under the North Carolina Beach Plan as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

H.B. 1198 (Committee Substitute), a bill to provide that uninsured and underinsured motorist coverage may be limited or excluded under excess liability coverage.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

H.B. 1203 (Committee Substitute), a bill to allow the appointment in certain circumstances of precinct officials and ballot counters for a precinct who are not registered to vote in that precinct.

Referred to **Judiciary II/Election Laws Committee.**

H.J.R. 1228, a joint resolution authorizing the 1995 General Assembly, 1996 Session, to consider a joint resolution honoring the life and memory of Nancy Winbon Chase, former State Legislator.

Referred to **Rules and Operation of the Senate Committee.**

H.J.R. 1276, a joint resolution authorizing the 1995 General Assembly, 1996 Session, to consider a joint resolution honoring John Carteret, Earl of Granville, for whom Granville County was named upon the occasion of the Two Hundred Fiftieth Anniversary of Granville County.

Referred to **Rules and Operation of the Senate Committee**.

H.B. 1334, a bill to repeal the local pay date for the Cherokee County schools.

Referred to **Education/Higher Education Committee**.

H.B. 1339 (Committee Substitute), a bill to improve water quality by establishing a goal to reduce the average load of nitrogen delivered to the Neuse River Estuary from point and nonpoint sources by a minimum of thirty percent of the average annual load for the period 1991 through 1995 by the year 2001 and to require the Environmental Management Commission to develop a plan to achieve this goal, as recommended by the Environmental Review Commission.

Referred to **Agriculture/Environment/Natural Resources Committee**.

H.B. 1372, a bill to confirm that Stanly County may purchase and convey property to the State of North Carolina for use as a correctional facility.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1400, a bill establishing the Harmon Field Board of Supervisors for administration of Harmon Field located in Polk County.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1417, a bill relating to disclosure of business interest in Guilford County.

Referred to **Local Government and Regional Affairs Committee**.

With bills remaining on the Calendar, on motion of Senator Basnight, seconded by Senator Hoyle, the Senate adjourns at 4:49 P.M. to meet tomorrow, Wednesday, June 12, at 4:00 P.M.

ONE HUNDRED TWENTY–EIGHTH DAY

SENATE CHAMBER
Wednesday, June 12, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Gracious God, we confess that sometimes we pray like this, 'Is there some way You could help me, Lord, but make it look like I did it myself?'

"What will You do with us? We go about our lives, assuming that we are the masters of our fate and captains of our souls. We assume power when we believe that we are self–made men and women.

"Remind us that we are created in Your Image. We are Your Creation and not our own. Help us to think and live accordingly. Amen."

Senator Soles, Deputy President *Pro Tempore*, announces the Journal of yesterday, Tuesday, June 11, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Cynthia A. Hampton of Henderson, who is serving the Senate as Doctor of the Day.

The Senate recesses at 4:10 P.M. to reconvene at 5:00 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

ENROLLED BILL

The Enrolling Clerk reports the following bill properly enrolled and it is duly ratified and sent to the Office of the Secretary of State:

H.B. 1119, an act to delete the requirement that a company add back to its net worth franchise tax base the amount of its loans that are payable to an unrelated company but are endorsed or guaranteed by a related company, as recommended by the Department of Revenue. (Ch. 560)

COURTESIES

With unanimous consent, on motion of Senator Hoyle, privileges of the floor are extended to Richard Scott Griffin, 1996–97 North Carolina Teacher of the Year, and the 1996–97 North Carolina Teacher of the Year Finalists. The President recognizes Senator Basnight, President *Pro Tempore*, who appoints Senator Hoyle of Gaston, Senator Forrester of Gaston, Senator Kincaid of Caldwell, Senator Speed of Franklin, and Senator Martin of Pitt to escort the guests to the Well of the Senate. The guests are received by the Senate standing.

Senator Hoyle presents Mr. Griffin of Ida Rankin Elementary School in Gaston County to the President of the Senate who recognizes him to address the Senate. On motion of Senator Hoyle, the remarks of Mr. Griffin are spread upon the Journal, as follows:

By Mr. Richard Scott Griffin:

"Mr. President and distinguished Members of our Senate, I know it has been a long day for you today. We have set in with one of your committees this afternoon and watched you hard at work and we appreciate a few moments to speak to you this evening.

"As I stand before you today, I do not stand alone. To my right, to your left, are five—actually four, brilliant teachers one of us is missing; Helen Laugisch's husband is battling cancer and could not be with us today—but also standing is

Karen Dameron, Jim Brooks, Reneé Coward, and Robin Little. And together we form your Teacher of the Year Team for 1996 and 1997. Additionally seventy thousand plus teachers stand with me as I speak before this great Chamber this evening. There are many issues that we could address that we would love to talk with you about in education, but we need to talk to you about primarily one issue, an issue that really concerns all of us.

"Dr. Seuss is a favorite author of mine. He writes a book call *The Lorax*. The Lorax is a little character that runs all through the book. It's a wonderful story about an effort to save some very special trees, and the Lorax decides that he's got to save the trees. Because the trees have no voice of their own, he decides he will speak for the trees.

"Ladies and gentlemen, above all else, this team will speak for the children of North Carolina this year. That will be our first and primary focus. We believe that is what you would have us do; we know in our hearts it is the right thing to do.

"We believe that public education is the last great American frontier. Within that frontier is a beautiful Garden of Eden. But we must confess to you that this garden is not without its weeds. There are some weeds growing in our garden. Weeds that concern us all. For example, there are the weeds of poverty. Tonight as you and I go to bed, a hundred thousand children in our country will not go to bed; they are homeless. And this does not include the children that have run away from home. There are the weeds of a disintegrating home environment. The 'Leave it to Beaver Family' that many of us grew up with is almost nonexistent. And then there's a very ugly weed called child abuse. The statistics show that, a frightening fact, that when young children are killed oftentimes it is the parents that are the murderers of our children. And then there's the weed of our violent culture, and all you have to do, folks, is turn on your TV set tonight; watch the news or watch just about any TV program; pop a video into the VCR; or read your newspaper. There's no wonder while as Jim and I listened to the news today we found a startling statistic that over six thousand students will die in violent crimes in the United States alone this year. And then there is the weed of our materialistic culture that we live in.

"Yes, we do provide many things for our children, but we expect an awful lot from them also. We live in a culture where children have been killed because of the clothes they wear or because of possessions they do not have. And then there is the pressure to achieve. We just cannot seem to accept average anymore. We want our children to be above average, and if they fall short of that they are failures. People give our children a lot materially, but as I said we expect a lot in return. And the fact is we seem to have a difficult time just loving our children for what they are—our children.

"As teachers, educators, legislators, we would do well tonight to re–examine why we have become public servants. The values of commitment, service, and caring that brought us to the fields should help us to focus on the importance of humanity, on each of our students, and to speak out on their behalf when so many want to punish them. So who will write the final chapter in our little story? Will it be you, legislators? Will it be our business men? Our parents? Our teachers? Well, the challenge to all of us is really quite clear. Not one group of us can do this alone. And too often we seem to point the finger at each other and blame each other for the problems that our children suffer from. It will indeed take a community effort for us to rid our garden of these ugly weeds.

"It seems to us that some good beginnings have already been started. Dr. Jay Robinson's work and the School Board's work on the ABC Accountability Act is certainly a great beginning, but please understand that's all it is. It is a beginning. It is not the finish. As you vote tomorrow and Friday, we would simply ask that you put politics aside and that you consider investing in children. Indeed, our children belong to all of us, to me and to you. When we look at them, when we smile at them, when we hold them, we must realize that we have the universe in our hands. They are the light of our life. They are the love of our life. They are life. Together we can make the right investments for our great State, and there is no greater investment than the education of our children. We thank you for this opportunity to appear before you. You honor us. This group of fine teachers and I will work diligently for the children of North Carolina in the coming year. Thank you, very much."

Senator Hoyle responds and introduces the 1996–97 North Carolina Teacher of the Year Finalists: James A. Brooks of West Wilkes High School in Wilkes County; Renée Higdon Coward of Fairview Elementary School in Jackson County; Karen H. Dameron of E. J. Hayes Elementary School in Martin County; and Robin C. Little of Clayton High School in Johnston County. Senator Hoyle also recognizes Helen P. Laugisch of Brunswick Learning Center in Brunswick County who was unable to be present.

Senator Forrester offers remarks in praise of Mr. Griffin.

The President of the Senate offers congratulations to Mr. Griffin and his colleagues and presents Mr. Griffin with a North Carolina State Flag. The President directs the Committee to escort the guests from the Chamber.

With unanimous consent, the President grants a leave of absence for the remainder of today's Session to Senator McKoy for a scheduled radio appearance.

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Plyler for the **Appropriations Committee**:

H.B. 540 (Committee Substitute No. 3), a bill to authorize the issuance of eight hundred million dollars general obligation bonds of the State, subject to a vote of the qualified voters of the State, for the construction of highways and to amend the Highway Trust Fund, with an unfavorable report as to Committee Substitute bill No. 3, but favorable as to Senate Committee Substitute bill.

On motion of Senator Plyler, the proposed Senate Committee Substitute bill A239, which changes the title, upon concurrence, to read **H.B. 540** (Senate Committee Substitute), a bill to authorize the issuance of nine hundred fifty million dollars general obligation bonds of the State, subject to a vote of the qualified voters of the State, for the construction of highways and to amend the Highway Trust Fund, is placed before the Senate for immediate consideration.

On motion of Senator Plyler, the Senate Committee Substitute bill is adopted.

Pursuant to Rule 43, the Senate Committee Substitute bill is re–referred to the **Finance Committee**.

By Senator Jordan for the **Local Government and Regional Affairs Committee**:

H.B. 1081, a bill to modify the membership, qualifications for appointment, and terms of the trustees for Albemarle Hospital in Pasquotank County, with a favorable report.

H.B. 1112, a bill to authorize the Town of Maxton to convey certain property at private sale to the Historic Preservation Foundation of North Carolina, Inc., a nonprofit corporation, with a favorable report.

H.B. 1133, a bill to permit one–stop voting on direct record voting equipment in Pasquotank County, with a favorable report.

H.B. 1185 (Committee Substitute), a bill to provide staggered terms for members of the Board of Commissioners of the Town of Lumber Bridge and provide a four–year term for the Mayor, with a favorable report.

H.B. 1256, a bill to provide staggered terms for the governing board of the Town of Spruce Pine, and concerning the voting power of the Mayor, with a favorable report, as amended.

By Senator Sherron for the **Finance Committee**:

S.B. 1319, a bill to allow the City of Reidsville to delay the effective date of annexations as to a specified tract and to exempt the annexation of Two City Lakes from the ceiling on satellite annexations, with a favorable report.

S.B. 1330, a bill to incorporate the Town of Sedalia, with a favorable report.

S.B. 1365, a bill concerning modification of the municipal limits between the City of Raleigh and the Town of Garner, with a favorable report.

S.B. 1389, a bill to deannex and detach a small area of land from the corporate limits of the City of Albemarle, North Carolina, with a favorable report.

S.B. 1392, a bill to annex a described area to the Town of Aberdeen, with a favorable report.

S.B. 1397, a bill to incorporate the Village of Sloop Point in Pender County, with a favorable report.

S.B. 1411, a bill to authorize the construction and the financing, without appropriations from the General Fund, of certain capital improvements projects of the constituent institutions of the University of North Carolina and the University of North Carolina Hospitals at Chapel Hill, with a favorable report.

S.B. 850, a bill to provide that the value of certain inventories is deductible in calculating a corporation's investment in tangible property in North Carolina for franchise tax purposes, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Sherron, the rules are suspended, and the proposed Committee Substitute bill 8737 is placed before the Senate for immediate consideration, and on his further motion is adopted.

With unanimous consent, the Committee Substitute bill is placed on the Calendar for Thursday, June 13, for further consideration.

S.B. 1313, a bill to incorporate the Town of Castle Hayne, subject to a referendum, with an unfavorable report as to bill, as amended by the **Local Government and Regional Affairs Committee**, but favorable as to Committee Substitute bill.

On motion of Senator Sherron, the rules are suspended, and the proposed Committee Substitute bill 8735 is placed before the Senate for immediate consideration, and on his further motion is adopted.

With unanimous consent, the Committee Substitute bill is placed on the Calendar for Thursday, June 13, for further consideration.

COMMITTEE REFERRAL RECALL

H.J.R. 1276, a joint resolution authorizing the 1995 General Assembly, 1996 Session, to consider a joint resolution honoring John Carteret, Earl of Granville, for whom Granville County was named upon the occasion of the Two Hundred Fiftieth Anniversary of Granville County, referred to the **Rules and Operation of the Senate Committee** on June 11.

Pursuant to Rule 47(b), Senator Rand offers a motion the joint resolution be taken from the **Rules and Operation of the Senate Committee** and placed on the Calendar for Thursday, June 13, which motions prevail with unanimous consent.

The Chair orders the joint resolution recalled from the **Rules and Operation of the Senate Committee** and places it on the Calendar for Thursday, June 13, for consideration upon its passage.

REPORTS OF COMMITTEES *(Continued)*

By Senator Soles for the **Pensions and Retirement/Insurance/State Personnel Committee**:

H.B. 1192, a bill to develop a proposal for a reserve fund to pay catastrophic losses as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues, with a favorable report.

H.B. 1193, a bill to provide for more effective financial supervision, rehabilitation, and liquidation procedures for continuing care retirement centers and to provide that continuing care agreements are subordinate to the cost of administration in liquidation as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues, with a favorable report.

H.B. 1200, a bill to revise the participation formula of the North Carolina Insurance Underwriting Association as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues, with a favorable report.

S.B. 1148, a bill to provide additional coverage under the North Carolina Beach Plan as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues, with a favorable report.

S.B. 1254, a bill to provide coverage for acupuncture services under the North Carolina Teachers' and State Employees' Comprehensive Major Medical Plan, with a favorable report.

On motion of Senator Soles, the bill is re–referred to the **Appropriations Committee**.

S.B. 1146, a bill to repeal the law prohibiting licensed reinsurers from assuming reinsurance from nonadmitted insurers as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues, with a favorable report, as amended.

By Senator Lucas for the **Children and Human Resources Committee:**

H.B. 332 (Committee Substitute), a bill to clarify the Domiciliary and Nursing Home Penalty Assessment law, with a favorable report.

H.B. 225 (Committee Substitute), a bill to direct the Administrative Office of the Courts to develop an educational program for divorcing couples with children, with a favorable report, as amended.

Pursuant to Rule 45.1, the Committee Substitute bill is placed before the Senate for immediate consideration and Committee Amendment No. 1 is adopted.

The Chair orders the Committee Substitute bill, as amended, re–referred to the **Appropriations Committee**.

By Senator Albertson for the **Agriculture/Environment/Natural Resources Committee**:

S.B. 1217, a bill to implement recommendations of the Blue Ribbon Study Commission on Agricultural Waste, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Albertson, the proposed Committee Substitute bill 1831 is placed before the Senate for immediate consideration, and on his further motion is adopted.

Pursuant to Rule 43, the Committee Substitute bill is re–referred to the **Finance Committee**.

By Senator Cooper for the **Judiciary I/Constitution Committee**:

S.B. 1188, a bill to establish the offenses of trespass on pine straw production land and larceny of pine straw, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Cooper, the rules are suspended, and the proposed Committee Substitute bill 7798 is placed before the Senate for immediate consideration, and on his further motion is adopted.

With unanimous consent, the Committee Substitute bill is placed on the Calendar for Thursday, June 13, for further consideration.

S.B. 1296, a bill to extend the regular period of post–release supervision from six to nine months, to extend the period of post–release supervision to five years for sex offenders and to provide for special conditions of post–release supervision for sex offenders and persons convicted of offenses involving physical, mental, or

sexual abuse of minors, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Cooper, the rules are suspended, and the proposed Committee Substitute bill 1829 is placed before the Senate for immediate consideration, and on his further motion is adopted.

With unanimous consent, the Committee Substitute bill is placed on the Calendar for Thursday, June 13, for further consideration.

S.B. 1297, a bill to provide for mandatory conditions of probation for sex offenders and persons convicted of offenses involving physical, mental, or sexual abuse of children, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Cooper, the rules are suspended, and the proposed Committee Substitute bill 2743 is placed before the Senate for immediate consideration, and on his further motion is adopted.

With unanimous consent, the Committee Substitute bill is placed on the Calendar for Thursday, June 13, for further consideration.

INTRODUCTION

Senator Rand offers a motion that Rule 40 be suspended to allow introduction of a joint resolution filed earlier today, which motion prevails by a two–thirds majority vote.

By Senator Horton:

S.J.R. 1486, a joint resolution authorizing the 1995 General Assembly, 1996 Session, to consider a joint resolution honoring the life and memory of Governor John Motley Morehead on the Two Hundredth Anniversary of his birth.

On motion of Senator Rand, the joint resolution is placed before the Senate for immediate consideration, upon its passage.

Receiving a two–thirds affirmative majority, the joint resolution passes its second and third readings and is ordered sent to the House of Representatives.

COMMITTEE REFERRAL RECALL

H.J.R. 1228, a joint resolution authorizing the 1995 General Assembly, 1996 Session, to consider a joint resolution honoring the life and memory of Nancy Winbon Chase, former State Legislator, referred to the **Rules and Operation of the Senate Committee** on June 11.

Pursuant to Rule 47(b), Senator Rand offers a motion the joint resolution be taken from the **Rules and Operation of the Senate Committee** and placed before the Senate for immediate consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the joint resolution recalled from the **Rules and Operation of the Senate Committee** and places it before the Senate for immediate consideration upon its passage.

Receiving a two–thirds affirmative majority, the joint resolution passes its second and third readings and is ordered enrolled.

H.J.R. 1276, a joint resolution authorizing the 1995 General Assembly, 1996 Session, to consider a joint resolution honoring John Carteret, Earl of Granville,

for whom Granville County was named upon the occasion of the Two Hundred Fiftieth Anniversary of Granville County, placed earlier today on the Calendar for Thursday, June 13.

Senator Gulley offers a motion the joint resolution be taken from the Calendar for Thursday, June 13, and placed before the Senate for immediate consideration upon its passage, which motions prevail with unanimous consent.

The Senate reconsiders its previous action and the Chair orders the joint resolution taken from the Calendar for Thursday, June 13 and places it before the Senate for immediate consideration upon its passage.

Receiving a two–thirds affirmative majority, the joint resolution passes its second and third readings and is ordered enrolled.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Messages received in the office of the Principal Clerk from the House of Representatives transmitting bills for concurrence are presented to the Senate, read, and disposed of, as follows:

S.B. 125, a bill to remove the sunset on reverse mortgages, for concurrence in the House Committee Substitute bill No. 2, which changes the title, upon concurrence, to read **S.B. 125** (House Committee Substitute No. 2), a bill to allow cancellation by exhibition of a note secured by a deed of trust or mortgage regardless of the date of endorsement.

Referred to the **Judiciary I/Constitution Committee**:

S.B. 555, a bill to increase the maximum fees that the North Carolina State Board of Dental Examiners may access, to move fee authorizations from separate sections to a general fee section, to eliminate a fee that is not needed, and to update statutory language on board annual meetings, for concurrence in House Amendment No. 1, which changes the title, upon concurrence, to read **S.B. 555**, a bill to increase the maximum fees that the North Carolina State Board of Dental Examiners may assess, to move fee authorizations from separate sections to a general fee section, to eliminate a fee that is not needed, and to update statutory language on board annual meetings, which is placed on the Calendar for tomorrow, Thursday, June 13.

Messages and a special message received in the office of the Principal Clerk from the House of Representatives transmitting bills and resolutions are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 1130, a bill to authorize the Counties of Camden, Chowan, Currituck, Pasquotank, Perquimans, Tyrrell, and Washington to take a lien on real property for delinquent fees for certain inspections.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1136 (Committee Substitute), a bill to allow Craven County and the Cities of New Bern and Havelock to donate unclaimed bicycles to charity.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1137, a bill to allow the Town of Fuquay–Varina to review any request for withdrawal of dedication of any street or street easement before any dedication can

be withdrawn.

Referred to **Local Government and Regional Affairs Committee.**

H.B. 1149 (Committee Substitute), a bill to change the requirements pertaining to licensed physician registration with the North Carolina Medical Board.

Referred to **Rules and Operation of the Senate Committee.**

H.B. 1157 (Committee Substitute), a bill to codify and clarify the State Board of Elections' ruling concerning contributions to State campaigns by federal committees.

Referred to **Judiciary II/Election Laws Committee.**

H.B. 1162 (Committee Substitute), a bill to prohibit the use of ineligible voter's testimony about how the vote was cast; to give the person protesting the election the right to call for a new election when the number of ineligible voters exceeds the margin of victory; and to make related changes.

Referred to **Judiciary II/Election Laws Committee.**

H.B. 1252, a bill to revive the Charter of the Town of Wentworth, subject to a referendum, requiring a three–fifths affirmative majority vote.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

H.B. 1254 (Committee Substitute), a bill to amend the Charter of the City of Havelock concerning the powers of the city manager.

Referred to **Local Government and Regional Affairs Committee.**

H.B. 1268 (Committee Substitute), a bill to expedite disposal of unclaimed vehicles by towing and storage businesses.

Pursuant to Rule 43, the Committee Substitute bill is ordered held in the office of the Principal Clerk pending referral to committee.

H.B. 1298 (Committee Substitute), a bill regarding requirements for sprinkler systems in fraternity and sorority houses in the Towns of Chapel Hill and Carrboro and their extraterritorial planning jurisdictions.

Referred to **Local Government and Regional Affairs Committee.**

H.B. 1347, a bill to allow the Cumberland County Board of Education to permit the use of public school buses to serve the transportation needs of the National Forensics League Tournament.

Referred to **Local Government and Regional Affairs Committee.**

H.B. 1401, a bill amending the Charter of the City of Fayetteville regarding zoning hearings.

Referred to **Local Government and Regional Affairs Committee.**

H.B. 1421, a bill to provide for the election of the Board of Education of the Mount Airy City School Administrative Unit.

Referred to **Local Government and Regional Affairs Committee.**

With unanimous consent, on motion of Senator Rand, the Senate recesses at 8:26 P.M. for purpose of a **Finance Committee** meeting to reconvene at 8:31 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

CALENDAR

H.B. 1100 (Senate Committee Substitute), a bill to implement the recommendation of the School Capital Construction Study Commission to authorize the issuance of general obligation bonds of the State, subject to a vote of the qualified voters of the State, to provide funds for grants to counties for public school capital outlay projects, in order to promote equity in local school facilities across the State and to enable local governments to give local property tax relief, and to ensure that certain grants for school facility needs continue to be made in accordance with the 1988 priority list, upon second reading, on today's Calendar.

With unanimous consent, on motion of Senator Winner, the Senate Committee Substitute bill is taken up out of its regular order of business.

With unanimous consent, the President grants a leave of absence for the remainder of today's Session to Senator Simpson.

Senator Winner offers Amendment No. 1, held to be not material, which is adopted (45–2).

Senator McDaniel offers Amendment No. 2, which proposes to amend the measure as amended by Amendment No. 1, which is adopted (46–1).

The Senate Committee Substitute bill, as amended, passes its second reading by roll–call vote, ayes 43, noes 4, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballantine, Basnight, Blackmon, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Sherron, Soles, Speed, Warren, Webster, and Winner—43.

Voting in the negative: Senators Ballance, Blust, Horton, and Shaw—4.

The Senate Committee Substitute bill, as amended, is ordered placed on the Calendar for tomorrow, Thursday, June 13, for further consideration upon third reading.

REPORT OF COMMITTEE

A standing committee report is submitted out of the regular order of business, a bill is read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Sherron for the **Finance Committee**:

H.B. 540 (Senate Committee Substitute), a bill to authorize the issuance of nine hundred fifty million dollars general obligation bonds of the State, subject to a vote of the qualified voters of the State, for the construction of highways and to amend the Highway Trust Fund, with a favorable report.

COMMITTEE REFERRAL RECALL

S.B. 1337, a bill to repeal the increase in the individual income tax enacted in 1991, referred to the **Finance Committee** on May 27.

Pursuant to public notice given under Rule 47(a), Senator McDaniel offers a motion the bill be recalled from the **Finance Committee** and placed before the Senate for immediate consideration upon its passage.

Senator Rand offers a motion the motion to recall the bill do lie upon the table, seconded by Senator Odom. The motion to table prevails (26–20) and the motion to recall the bill lies upon the table.

S.B. 1338, a bill to repeal the increase in the corporate income tax enacted in 1991, referred to the **Finance Committee** on May 27.

Pursuant to public notice given under Rule 47(a), Senator McDaniel offers a motion the bill be recalled from the **Finance Committee** and placed before the Senate for immediate consideration upon its passage.

Senator Rand offers a motion the motion to recall the bill do lie upon the table, seconded by Senator Odom. The motion to table prevails (26–20) and the motion to recall the bill lies upon the table.

On motion of Senator Basnight, seconded by Senator McDaniel, the Senate adjourns at 9:15 P.M. to meet tomorrow, Thursday, June 13, at 1:30 P.M.

ONE HUNDRED TWENTY–NINTH DAY

SENATE CHAMBER
Thursday, June 13, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Our Heavenly Father, the poet Carl Sandburg quotes a little boy who had just pulled up a large weed from the soil. When his mother said, 'My, you were strong to get that out!' The boy answered, 'I sure was. The whole Earth had hold of it!'

"On days when decisions we face and tasks to be completed make it seem like we are pulling against the whole Earth, give us the faith that You promised would move mountains.

"Because faith in You, O God, is less apt to proceed from miracles than miracles from faith in God. Amen"

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Wednesday, June 12, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Carl Haynes of Kinston, who is serving the Senate as Doctor of the Day.

ENROLLED RESOLUTIONS

The Enrolling Clerk reports the following resolutions properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

H.J.R. 1228, a joint resolution authorizing the 1995 General Assembly, 1996 Session, to consider a joint resolution honoring the life and memory of Nancy Winbon Chase, former State Legislator. (Res. 18)

H.J.R. 1276, a joint resolution authorizing the 1995 General Assembly, 1996 Session, to consider a joint resolution honoring John Carteret, Earl of Granville, for whom Granville County was named upon the occasion of the Two Hundred Fiftieth Anniversary of Granville County. (Res. 19)

INTRODUCTION OF A RESOLUTION

A joint resolution filed for introduction is presented to the Senate, read the first time, and disposed of, as follows:

By Senators Jordan, Ballance, Lucas, Dannelly, Martin of Guilford, McKoy, Edwards, Soles, Parnell, Cooper, Hobbs, Speed, Rand, Albertson, Plyler, Gulley, Kerr, Conder, Sherron, Odom, McDaniel, Blust, Perdue, Carrington, Martin of Pitt, East, Page, Winner, Little, Blackmon, Warren, Davis, Ballantine, Carpenter, and Forrester:

S.J.R. 1488, a joint resolution authorizing the 1995 General Assembly, Regular Session 1996, to consider a bill to be entitled an act to raise the penalty for burning of religious structures.

Referred to **Rules and Operation of the Senate Committee**.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

A message received in the office of the Principal Clerk from the House of Representatives transmitting a bill for concurrence is presented to the Senate, read, and disposed of, as follows:

S.B. 126 (House Committee Substitute), a bill to create the Long-Term Care Subcommittee and to provide for the creation of other subcommittees of the North Carolina Study Commission on Aging and to make changes to the long-term care law.

Pursuant to Rule 43, the House Committee Substitute bill is ordered held in the office of the Principal Clerk pending referral to committee.

Messages received in the office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 1101, a bill to implement the recommendation of the School Capital Construction Study Commission to make permanent the requirement that counties use part of the two half-cent local sales tax proceeds only for public school capital outlay purposes.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

H.B. 1258, a bill to authorize the University of North Carolina to retain the net proceeds from sale of the former residence of the Chancellor of Winston–Salem State University for application toward purchase of the successive residence for the Chancellor.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

REPORT OF COMMITTEE

A standing committee reports is submitted out of the regular order of business, a bill is read by its title, together with the report accompanying it and takes its place on the Calendar, as follows:

By Senator Perdue for the **Appropriations Committee**:

H.B. 1108 (Committee Substitute), a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, and to make other changes in the budget operation of the State, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Perdue, the rules are suspended, and the proposed Senate Committee Substitute bill 5719 is placed before the Senate for immediate consideration, and on her further motion is adopted.

On motion of Senator Perdue, the Senate Committee Substitute bill remains before the Senate for further consideration upon its passage.

Senator Perdue offers a motion to suspend the rules to allow the staff of the Fiscal Research Division privileges of the floor to assist the **Appropriations Committee** Chairmen and **Appropriations** Sub–Committee Chairmen with explanation of the Senate Committee Substitute bill, which motion prevails with unanimous consent.

Senator Cochrane offers Amendment No. 1. Senator Perdue calls the previous question, seconded by Senator Odom. The call is sustained (27–22). Amendment No. 1 offered by Senator Cochrane fails of adoption (23–26).

Senator Allran offers Amendment No. 2. Senator Kerr rises to a point of order as to consideration of Amendment No. 2, without referral to the **Pensions and Retirement/Insurance/State Personnel Committee** pursuant to Rule 42.2, being out of order. The Chair rules consideration of Amendment No. 2 in order, and further holds Amendment No. 2 material. Following lengthy debate, Senator Perdue calls the previous question, seconded by Senator Rand. The call is sustained (27–23). Amendment No. 2, offered by Senator Allran, fails of adoption (24–26).

Senator Little offers Amendment No. 3 which is adopted (47–0).

Senator Ballance offers Amendment No. 4 which is adopted (37–12).

Pursuant to Rule 28, Senator Ballantine rises to a point of order to divide the Senate Committee Substitute bill, as amended, at page 31 through 46. The Chair rules the question before the body is passage of the measure and cannot be divided except by amendment.

Senator Plyler calls the previous question, seconded by Senator Perdue. The call is sustained (27–23).

The Senate Committee Substitute bill, as amended, passes its second (30–20) and third readings and is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Committee Substitute bill, without objection, by special messenger.

CALENDAR

H.B. 1100 (Senate Committee Substitute), a bill to implement the recommendation of the School Capital Construction Study Commission to authorize the issuance of general obligation bonds of the State, subject to a vote of the qualified voters of the State, to provide funds for grants to counties for public school capital outlay projects, in order to promote equity in local school facilities across the State and to enable local governments to give local property tax relief, and to ensure that certain grants for school facility needs continue to be made in accordance with the 1988 priority list, as amended, on today's Calendar upon third reading.

With unanimous consent, on motion of Senator Winner, the Senate Committee Substitute bill, as amended, is taken up out of its regular order of business and on her further motion, is placed as the first order of business on the Calendar for consideration.

INTRODUCTION OF RESOLUTIONS

Senator Rand offers a motion that Rule 40 be suspended to allow the introduction of the following joint resolutions filed earlier today, which motion prevails by a two–thirds majority vote.

By Senators Kerr, Soles, Speed, Simpson, Cochrane, Kincaid, Horton, and Perdue:

S.J.R. 1489, a joint resolution honoring the life and memory of Nancy Winbon Chase, former State legislator.

On motion of Senator Rand, the joint resolution is placed on the Calendar for Monday, June 17, for consideration upon its passage.

By Senators Gulley and Lucas:

S.J.R. 1490, a joint resolution honoring John Carteret, Earl of Granville, for whom Granville County was named upon the occasion of the Two Hundred Fiftieth Anniversary of Granville County.

On motion of Senator Rand, the joint resolution is placed on the Calendar for Monday, June 17, for consideration upon its passage.

REPORTS OF COMMITTEES

Standing committee reports are submitted out of the regular order of business, bills are read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Gulley for the **Judiciary II/Election Laws Committee**:

S.B. 1214, a bill to make it a Class F felony offense to assault a law enforcement officer and inflict serious bodily injury and to create a new criminal offense of

assaulting a firefighter as recommended by the Legislative Research Commission's Study Committee on Criminal Laws, Procedures, and Sentencing, with a favorable report, as amended.

S.B. 1291, a bill to reclassify or change the penalties for various criminal offenses as recommended by the North Carolina Sentencing and Policy Advisory Commission, with a favorable report, as amended.

H.B. 1157 (Committee Substitute), a bill to codify and clarify the State Board of Elections' ruling concerning contributions to State campaigns by federal committees, with a favorable report, as amended.

With unanimous consent, the President grants a leave of absence for the remainder of today's Session to Senator Cooper.

By Senator Kerr for the **Finance Committee**:

H.B. 1094, a bill to prohibit the imposition of a failure to pay penalty when additional tax due is paid at the time an amended return is filed or within thirty days after the additional tax was assessed, with a favorable report.

H.B. 1096, a bill to transfer responsibility for collecting the remainder of the gross premiums tax from the Department of Insurance to the Department of Revenue and to clarify related statutes, with a favorable report.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 1100 (Senate Committee Substitute), a bill to implement the recommendation of the School Capital Construction Study Commission to authorize the issuance of general obligation bonds of the State, subject to a vote of the qualified voters of the State, to provide funds for grants to counties for public school capital outlay projects, in order to promote equity in local school facilities across the State and to enable local governments to give local property tax relief, and to ensure that certain grants for school facility needs continue to be made in accordance with the 1988 priority list, as amended, upon third reading.

The Senate Committee Substitute bill, as amended, passes its third reading by roll-call vote, ayes 39, noes 5, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballantine, Basnight, Blackmon, Carpenter, Carrington, Clark, Cochrane, Conder, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Hoyle, Jordan, Kerr, Ledbetter, Little, Lucas, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Sherron, Soles, Speed, Warren, and Winner—39.

Voting in the negative: Senators Ballance, Blust, Horton, Shaw, and Webster—5.

The Senate Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill, without objection, by special messenger.

H.B. 540 (Senate Committee Substitute), a bill to authorize the issuance of nine hundred fifty million dollars general obligation bonds of the State, subject to a vote of the qualified voters of the State, for the construction of highways and to amend the Highway Trust Fund, on today's Calendar, upon second reading.

With unanimous consent, on motion of Senator Hoyle, the Senate Committee Substitute bill is taken up out of its regular order of business and on his further motion is placed before the Senate for immediate consideration.

Senator Horton offers Amendment No. 1. Senator Horton calls the previous question, seconded by Senator Rand. The call is sustained. Amendment No. 1, offered by Senator Horton, fails of adoption (14–32).

The Senate Committee Substitute bill passes its second reading by roll–call vote, ayes 43, noes 3, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Cochrane, Conder, Dannelly, Davis, East, Edwards, Forrester, Foxx, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Soles, Speed, Warren, and Winner—43.

Voting in the negative: Senators Clark, Ledbetter, and Webster—3.

The Senate Committee Substitute bill is ordered placed on the Calendar for Monday, June 17, for further consideration upon third reading.

S.B. 1295, a bill to clarify eligibility under the Salary Continuation Plan for employees of the Department of Correction, carried forward as unfinished business from Tuesday, June 11, upon third reading.

With unanimous consent, on motion of Senator Odom, the bill is taken up out of its regular order of business, and on his further motion the bill is recommitted to the **Judiciary I/Constitution Committee**.

SELECT COMMITTEE ON REDISTRICTING

Senator Basnight, President *Pro Tempore,* announces the appointment of the following Senators to a **Select Committee on Redistricting:** Senator Cooper, Chairman; Senator Conder; Senator Hoyle; Senator Rand; Senator Winner; Senator Ballance; Senator Martin of Pitt; Senator Forrester; Senator Ballantine; and Senator Kincaid.

ANNOUNCEMENT

H.B. 1108
(Senate Committee Substitute)

Senator Basnight, President *Pro Tempore*, announces the following Senators shall represent the Senate upon consideration of differences arising between the two Bodies on **H.B. 1108** (Senate Committee Substitute), a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, and to make other changes in the budget operation of the State: Senator Plyler, Chairman; Senator Perdue; Senator Odom; Senator Kerr; Senator Sherron; Senator Conder; Senator Rand; Senator Martin of Guilford; Senator Martin of Pitt; Senator Plexico; Senator Winner; Senator Hoyle; Senator Warren; Senator Ballance; Senator Cooper; Senator Gulley; Senator Little; and Senator Hartsell.

CALENDAR *(Continued)*

S.B. 850 (Committee Substitute), a bill to provide that the value of certain inventories is deductible in calculating a corporation's investment in tangible property in North Carolina for franchise tax purposes, on today's Calendar.

With unanimous consent, on motion of Senator Plyler, the Committee Substitute bill is taken up out of its regular order of business, and on his further motion is re-referred to the **Appropriations Committee**.

With bills remaining on the Calendar, on motion of Senator Basnight, seconded by Senator Ballantine, the Senate adjourns at 4:20 P.M. to meet Monday, June 17, at 4:00 P.M.

ONE HUNDRED THIRTIETH DAY

SENATE CHAMBER
Monday, June 17, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Remarks and prayer are offered by the Reverend Jeffrey Wisdom, Senior Minister of Madison Avenue Baptist Church in Goldsboro, as follows:

"Joe McKeever had published several years ago a cartoon showing a pastor behind the sacred desk leading the congregation in prayer.

"He prayed, 'Forgive us for our pride in pluralism and the evaluation of eclecticism, as well as the tendency to pontificate in prayer.'

"During this time in invocation, I want to pray for each of you that the decisions you make will be guided by sensible morality and agreed matters of right and wrong. And for my part, I will not pontificate in prayer. In other words, I will make it short. Let us pray."

"God, I thank You for this Assembly, and I recognize that the decisions made in this office have the potential for affecting everyone I know and those I have not yet met. So, O Lord, I pray, help each in this Assembly to make their decisions and argue their debates with a sense of divine purpose. Help them to be fair, equitable, and sensitive to the needs of our communities, to shy away from the expedient, and the politically savvy, and the politically polite that prides itself in pluralism and eclecticism. Instead, give everyone here the will to stand up for his or her conviction, belief, or faith.

"And lastly, help each of us to be good citizens of this great State, North Carolina. Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Cooper.

Senator Soles, Deputy President *Pro Tempore*, announces the Journal of Thursday, June 13, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

ENROLLED BILLS

The Enrolling Clerk reports the following bills properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

S.B. 1116, an act to allow persons who are unable to go to the polls because of observance of a religious holiday to cast an absentee ballot. (Ch. 561)

S.B. 1169, an act to allow the Cumberland County Board of Education to permit the use of public school buses to serve the transportation needs of the National Forensics League Tournament. (Ch. 562)

S.B. 1203, an act to allow the City of Bessemer City to convey certain described property at private sale. (Ch. 563)

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Jordan for the **Local Government and Regional Affairs Committee**:

H.B. 1122, a bill to allow Swain County to employ attachment or garnishment and to obtain a lien for ambulance services, with a favorable report.
On motion of Senator Jordan, the bill is re-referred to the **Finance Committee**.

H.B. 1130, a bill to authorize the Counties of Camden, Chowan, Currituck, Pasquotank, Perquimans, Tyrrell, and Washington to take a lien on real property for delinquent fees for certain inspections, with a favorable report.

H.B. 1136 (Committee Substitute), a bill to allow Craven County and the Cities of New Bern and Havelock to donate unclaimed bicycles to charity, with a favorable report.

H.B. 1298 (Committee Substitute), a bill regarding requirements for sprinkler systems in fraternity and sorority houses in the Towns of Chapel Hill and Carrboro and their extraterritorial planning jurisdictions, with a favorable report.

H.B. 1347, a bill to allow the Cumberland County Board of Education to permit the use of public school buses to serve the transportation needs of the National Forensics League Tournament, with a favorable report.

H.B. 1401, a bill amending the Charter of the City of Fayetteville regarding zoning hearings, with a favorable report.

COMMITTEE REFERRAL RECALL

H.B. 1125, a bill to allow one-stop ballots to be directly inserted in optical scan tabulators in Wake County as if the ballots were being voted at the precinct, referred to the **Local Government and Regional Affairs Committee** on June 3.

Pursuant to Rule 47(b), Senator Jordan offers a motion the bill be taken from the **Local Government and Regional Affairs Committee** and re-referred to the **Judiciary II/Election Laws Committee**, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Local Government and Regional Affairs Committee** and refers the measure to the **Judiciary II/Election Laws Committee.**

REPORTS OF COMMITTEES *(Continued)*

By Senator Gulley for the **Judiciary II/Election Laws Committee**:

S.B. 1301, a bill to make various technical amendments to the General Statutes as recommended by the General Statutes Commission, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Gulley, the rules are suspended, and the proposed Committee Substitute bill 8740, which changes the title to read **S.B. 1301** (Committee Substitute), a bill to make various technical amendments to the General Statutes as recommended by the General Statutes Commission and to make other technical corrections to the General Statutes, is placed before the Senate for immediate consideration.

On motion of Senator Gulley, the Committee Substitute bill is adopted.

With unanimous consent, the Committee Substitute bill is placed on the Calendar for tomorrow, June 18, for further consideration.

By Senator Albertson for the **Agriculture/Environment/Natural Resources Committee**:

S.B. 1343, a bill to specify that one member of the Environmental Management Commission shall have employment experience in industrial air and water pollution control at an industrial manufacturing facility, as recommended by the Environmental Management Commission, with a favorable report, as amended.

S.B. 1318, a bill to establish a nonregulatory program to protect water quality and to create the Riparian Buffer Facilitation and Assistance Grant Fund to sustain water quality in the State through cooperative methods, as recommended by the Environmental Review Commission, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Albertson, the proposed Committee Substitute bill 1832, which changes the title to read **S.B. 1318** (Committee Substitute), a bill to establish a nonregulatory program to protect water quality, to create the Riparian Buffer Facilitation and Assistance Grant Fund to sustain water quality in the State through cooperative methods, and to increase the cap on the income tax credit for real property donated for conservation purposes, as recommended by the Environmental Review Commission, is placed before the Senate for immediate consideration.

On motion of Senator Albertson, the Committee Substitute bill is adopted, and on his further motion the Committee Substitute bill is re–referred to the **Finance Committee.**

H.B. 859 (Committee Substitute No. 2), a bill to revise the Solid Waste Management Act of 1989 and related statutes, with an unfavorable report as to Committee Substitute bill No. 2, but favorable as to Senate Committee Substitute bill.

On motion of Senator Albertson, the proposed Senate Committee Substitute bill 7351 is placed before the Senate for immediate consideration, and on his further motion is adopted.

Pursuant to Rule 43, the Senate Committee Substitute bill is re–referred to the **Finance Committee.**

Pursuant to Rule 47(b), Senator Sherron offers a motion the Senate Committee Substitute bill be taken from the **Finance Committee** and placed on the Calendar for tomorrow, June 18, which motions prevail with unanimous consent.

The Chair orders the Senate Committee Substitute bill recalled from the **Finance Committee** and places it on the Calendar for tomorrow, June 18, for consideration upon its passage.

INTRODUCTION OF A RESOLUTION

A resolution filed for introduction is presented to the Senate, read the first time, and disposed of, as follows:

By Senators Plyler, Rand, Gulley, Perdue, Odom, Conder, Kincaid, Plexico, Parnell, Ballance, Simpson, Martin of Guilford, Blackmon, Cooper, Dannelly, Clark, Webster, Forrester, East, Speed, Soles, Hoyle, Albertson, Lucas, and Carpenter:

S.J.R. 1491, a joint resolution authorizing the 1995 General Assembly, Regular Session 1996, to consider a joint resolution honoring the life and memory of Wesley Davis Webster, former member of the General Assembly.

With unanimous consent, on motion of Senator Plyler, the rules are suspended to the end the joint resolution is placed before the Senate for immediate consideration, upon its passage.

Subsequently, the Chair orders, without objection, the joint resolution temporarily displaced.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

A message is received in the office of the Principal Clerk from the House of Representatives transmitting a bill which is presented to the Senate, read a first time, and disposed of, as follows:

H.B. 1177 (Committee Substitute), a bill to allow the merger of the Town of Battleboro into the City of Rocky Mount.

Referred to **Local Government and Regional Affairs Committee.**

Messages received in the office of the Principal Clerk from the House of Representatives transmitting bills for concurrence are presented to the Senate, read, and disposed of, as follows:

S.B. 687 (Committee Substitute), a bill to provide for improvement permits for sewage disposal systems, for concurrence in the House Committee Substitute bill No. 2, which changes the title, upon concurrence, to read, **S.B. 687** (House Committee Substitute No. 2), a bill to provide for improvement permits for a wastewater system that are valid for five years in addition to the improvement permits that are valid without expiration under current law, which is placed on the Calendar for tomorrow, Tuesday, June 18.

S.B. 1173 (Committee Substitute), a bill to permit the local boards of education of various counties to schedule longer school days so as to offset days lost due to inclement weather, for concurrence in House Amendment No. 1, which is placed on the Calendar for tomorrow, Tuesday, June 18.

Messages and a special message received in the office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 1080 (Committee Substitute), a bill to make fox hunting in Currituck County consistent with the regulations of the Wildlife Resources Commission by repealing the law authorizing fox hunting in certain portions of Currituck County at all times of the year.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1082 (Committee Substitute), a bill to change the laws governing annexation by cities with a population of five thousand or more.

Referred to **Judiciary II/Election Laws Committee**.

H.B. 1083, a bill to require first–class mail notice to all property owners in an area proposed for addition to a municipality's extraterritorial planning and zoning jurisdiction, proportional representation for residents of the ETJ on the planning agency, and a hearing before county appointment of representation to the planning agency.

Referred to **Judiciary II/Election Laws Committee**.

H.B. 1084 (Committee Substitute), a bill to change the laws governing annexation by cities with a population of less than five thousand.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

H.B. 1131, a bill to permit extension of candidate filing for local offices in Pasquotank County when the County Board of Elections Office is closed on the last day for filing due to severe weather conditions.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1187, a bill to permit the local boards of education in certain counties to schedule longer school days so as to offset days lost due to inclement weather.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1208, a bill to permit the local boards of education in certain counties to schedule longer school days so as to offset days lost due to inclement weather.

Referred to **Education/Higher Education Committee**.

H.B. 1209, a bill to authorize the Cities of Brevard and Hendersonville to create squirrel sanctuaries for the preservation of the "Brevard White Squirrel."
Referred to **Local Government and Regional Affairs Committee**.

H.B. 1233 (Committee Substitute No. 2), a bill to enact the Overhead High–Voltage Line Safety Act as recommended by the Joint Legislative Utility Review Committee.
Pursuant to Rule 43, the Committee Substitute bill No. 2 is ordered held in the office of the Principal Clerk pending referral to committee.

H.B. 1259 (Committee Substitute), a bill to provide federal retirees a refundable tax credit, without interest, for State income tax paid on their retirement benefits for tax years 1985 through 1988.
Referred to **Finance Committee**.

H.B. 1345 (Committee Substitute), a bill to implement the recommendations of the Committee on Appropriations by establishing the percentage rates for the insurance regulatory charge and the public utility regulatory fee.
Referred to **Finance Committee**.

H.B. 1371, a bill to exempt the County of Johnston from certain statutory requirements relating to the construction of an animal control facility.
Referred to **Local Government and Regional Affairs Committee**.

H.B. 1376 (Committee Substitute), a bill to remove the bag limits on the trapping of raccoons in Beaufort, Craven, Hyde, Pamlico, and Pitt Counties.
Referred to **Local Government and Regional Affairs Committee**.

H.B. 1385, a bill to provide for a referendum in Brunswick County on the questions of changing the terms of office of the Brunswick County Board of Commissioners and the Brunswick County Board of Education from two years to four years.
Referred to **Local Government and Regional Affairs Committee**.

H.B. 1388, a bill to amend the law regarding the City of Wilson Firemen's Supplemental Retirement Fund.
Referred to **Local Government and Regional Affairs Committee**.

H.B. 1394, a bill to allow the Counties of Graham and Cherokee to acquire property for use by the County Board of Education.
Referred to **Local Government and Regional Affairs Committee**.

H.B. 1414, a bill relating to the Charlotte Civil Service Board.
Referred to **Local Government and Regional Affairs Committee**.

H.B. 1384, a bill to limit the height of structures in the Town of Calabash and to allow exceptions to the height limit upon approval by referendum.
Referred to **Local Government and Regional Affairs Committee**.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special messages are received from the House of Representatives:

H.B. 1100 House of Representatives
(Senate Committee Substitute) June 14, 1996

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House failed to concur in Senate Committee Substitute for **H.B. 1100**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF, which proposes to change the title upon concurrence to read, Senate Committee Substitute for **H.B. 1100**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF, AND TO ENSURE THAT CERTAIN GRANTS FOR SCHOOL FACILITY NEEDS CONTINUE TO BE MADE IN ACCORDANCE WITH THE 1988 PRIORITY LIST, the Speaker has appointed as conferees on the part of the House, Representative Daughtry, Chair: Representatives Shubert, Gray, Culpepper, and Arnold to act with a like Committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
S/Denise G. Weeks
Principal Clerk

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

H.B. 1108 House of Representatives
(Senate Committee Substitute) June 14, 1996

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House failed to concur in Senate Committee Substitute for **H.B. 1108**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, the Speaker has appointed as conferees on the part of the House, Representatives Holmes, Esposito, and Creech, Co–Chairs, Representatives

Daughtry, Russell, Bowie, Grady, Preston, Weatherly, Mitchell, Thompson, Justus, Hayes, Gardner, Lemmond, Ives, Nye, Crawford, Cummings, Cansler, Kiser, Gray, Arnold, C. Wilson, Nichols, and Morgan to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
S/Denise G. Weeks
Principal Clerk

NOTICE OF INTENTION TO RECALL

S.B. 1482, a bill to ban partial-birth abortions and to require a twenty-four-hour waiting period and the informed consent of a pregnant woman before abortion may be performed, to require physicians to inform women of medical risks, gestational age, the name of the physician performing the abortion, and certain other information, and to require certain printed materials and reports, referred to the **Judiciary II/Election Laws Committee** on June 3.

Senator Page rises and gives notice, pursuant to Rule 47, of his intention to recall the bill from the **Judiciary II/Election Laws Committee**.

CALENDAR

S.J.R. 1491, a joint resolution authorizing the 1995 General Assembly, Regular Session 1996, to consider a joint resolution honoring the life and memory of Wesley Davis Webster, former member of the General Assembly, temporarily displaced earlier.

The joint resolution passes its second (45-0) and third readings. Receiving a two-thirds affirmative majority, the joint resolution is ordered sent to the House of Representatives.

COMMITTEE REFERRAL RECALL

S.B. 1304, a bill to phase out over four years the four percent State sales tax on food and reduce the size of State government by authorizing the Governor to freeze hiring for State employees other than education, public safety, public health, and other appropriate positions, referred to the **Finance Committee** on May 27.

Pursuant to public notice given three consecutive days in the Senate, Senator Cochrane offers a motion the bill be recalled from the **Finance Committee** and placed before the Senate for immediate consideration upon its passage.

Senator Rand offers a motion that the motion to recall the bill do lie upon the table, seconded by Senator Odom.

The Chair declares the voting equipment inoperative.

The motion to table prevails with members standing (25-21) and the motion to recall the bill lies upon the table.

CALENDAR

A joint resolution on today's Calendar is taken up out of the regular order of business and disposed of, as follows:

S.J.R. 1489, a joint resolution honoring the life and memory of Nancy Winbon Chase, former State legislator.

With unanimous consent, on motion of Senator Kerr, the joint resolution is read in its entirety. *(See Appendix)*

With unanimous consent, on motion of Senator Kerr, the remarks of the Senators memorializing the life and memory of Nancy Winbon Chase, former member of the General Assembly, are spread upon the Journal, as follows:

By Senator Kerr:

"Thank you, Mr. President, ladies and gentlemen of the Senate. 'Miss Nancy' was an institution in Wayne County. In the early sixties we had some problems, I guess, in the political system, and she was a lady who had built a record in the farming, the agriculture, and the church communities of her small town in my County. But, she came out and came and took over this job up here and served in the House for sixteen years. She was the first lady from Wayne County that had served in the General Assembly.

"While she was small in stature, and my Daddy always said, 'You don't measure height all the way up, you measure height from here up.' 'Miss Nancy' was very small in stature, but she was large in mind; she was large in commitment; she was large in service; and she was large in helping her fellow man.

"I guess her initiatives here in the area of the mental health—which amazes me to this time I believe the House had nothing for mental health in the budget, but, be that as it may—she has been a leader in our community and had a long and delightful life of ninety–one years. And I know several Members in this Body, a few served with her, and there were several Members in the House. I just commend this resolution to you; I commend the life of this lady as to show us the path and at the proper time, Mr. President, I'd appreciate if you'd recognize the members of the family and the numerous friends from the Eureka, Wayne County area. This is a great lady and let's join in and salute her, and I appreciate the opportunity to present this to the Body."

By Senator Soles:

"Mr. President, ladies and gentlemen of the Senate, it was my great honor to have an opportunity to serve with Representative Nancy Chase for four terms in the House of Representatives. I sat on, as you go in the Chamber and look toward the Presiding Officer, I sat on the left side of the aisle, she sat a seat or two over on the right side of the aisle. We were on the same row. We had a lots of communication back and forth and I often enjoyed listening to her speak and argue her points. As Senator Kerr has said, she was a short lady in height, but she was tall in so many other ways. I remember when she would stand up, many times, those of us who were close friends sitting around her would whisper under our breath to her, 'Stand up, Miss Nancy,' and, of course, she'd already be standing up and she'd turn around and kind of smile, but it never did slow her down. She worked for so many good causes: education, mental health, children, and just agriculture—nothing about the farming community was too important or too mundane for her to take up the cause for.

"I have one little story I wish to share with you that is a little bit humorous, and I hope it's taken in the right vein because I don't know if Miss Nancy Chase ever smoked in her life. She may have smoked on a regular basis, but I never saw her smoke in public, except one time, and she didn't intend for me to see her do it at

that time. 'Miss Nancy' had been here long enough that she had been assigned an office on the first floor on the outside, or the west wing. And it was a larger office and I walked down there one day to speak to her and I just kind of tapped on the door, and as we are prone to do, walked right on in. And 'Miss Nancy' was sitting there and I saw this cigarette in her hand, and it went under the table and I played like I didn't see it and she played like she didn't have it. And I stood there and talked with her for a good five or ten minutes with the smoke just coming up (laughter) from under the desk and neither one of us ever acknowledged that that desk appeared to be on fire. But, she was an outstanding lady, she rendered great service to the State of North Carolina, and I encourage you to join in voting for this resolution."

By Senator Speed:

"Members of the Senate, I had the good fortune of knowing Miss Nancy Chase a good long time before she came to the General Assembly as one of the prominent Members. She was real active in Farm Bureau and agricultural affairs and at that time I was with her on a number of meetings, in a number of meetings of Farm Bureau in other areas of agricultural interest. We were together at State conventions, and perhaps several national Farm Bureau conventions. She was a very outstanding leader in rural life and agriculture. And after—she was also a member of the Board of Trustees of Louisburg College which, of course, I personally appreciate because that is an institution that has meant a lot to our area. But 'Miss Nancy' came to the General Assembly and was soon recognized as one of the leaders. She was interested in the good of North Carolina in general, but she gave special attention to agriculture, mental health, and the underprivileged. She served on many important committees and chaired several very important committees during that time. She was respected by all Members of the General Assembly and was known as an outstanding leader throughout the State. North Carolina is a better State today because of the life and efforts of Miss Nancy Chase. She will long be remembered as one of our great leaders, and it was my good fortune of knowing her during the time. Thank you."

By Senator Basnight:

"Thank you, Mr. President, Members of the Senate. I, as Senator Kerr explained when you measure someone, you measure not from here down, but from neck up; and when we do that we understand that we're all equal. In finding the contributions that one does make we realize that it is through knowledge and care and concern of others. Well, she certainly had that, Senator Soles in your explanation of the confrontation that you had that day was very interesting and best described, I believe in a funny sense. A human being that came to serve in this Building on behalf of the smaller people among us, those who probably, because of location or because of physical constraints, or because of mental disabilities were not able to compete in our society as many of us are. She always cared. She wanted to see people succeed and do well. She gave of her time. She took away from other endeavors to see that North Carolina was a little bit better of a place to live. She was a wonderful human being and a great legislator."

With unanimous consent the joint resolution passes its second reading (47–0) and third reading, with Members standing, and is ordered, without objection, sent to the House of Representatives by special messenger.

The Chair extends courtesies of the gallery to the family and friends of Nancy Winbon Chase present who are: Mrs. Janice Chase, daughter–in–law; Lu Chase Massey, granddaughter and her husband Louis Masssey; Chase and Jackson Massey, great–grandchildren; John Bryant Chase II, grandson; Mr. and Mrs. Tommy Cobb; Mrs. Winnie R. Davis; Mr. and Mrs. Sam Sasser and Grant; Mr. and Mrs. Marion Chase; and Mrs. Thelma West.

COURTESIES

Senator Parnell offers a motion privileges of the floor be extended to Colonel William S. McArthur, Jr., astronaut, which motion prevails with unanimous consent. The President recognizes Senator Basnight, President *Pro Tempore*, who appoints Senator Parnell of Robeson, Senator Conder of Rockingham, Senator Rand of Cumberland, Senator Soles of Columbus, and Senator Jordan of New Hanover to escort the guest to the Well of the Senate. The Senate receives Colonel McArthur standing.

Senator Parnell presents Colonel McArthur to the President of the Senate who recognizes him to address the Senate. Colonel McArthur offers remarks (*see Appendix*) and presents the Senate with a photo montage from space which includes a crew patch and a North Carolina State Flag that were flown aboard the Space Shuttle *Atlantis*. The Lieutenant Governor accepts the photo montage on behalf of the Senate.

The President extends courtesies of the gallery to the family and friends of Colonel McArthur who are: Cynthia McArthur, his wife; Bill Avant, step–father; Amble Lovin, mother–in–law; Mr. and Mrs. Bill Lovin, brother–in–law and wife; Mr. and Mrs. Tim Lovin, brother–in–law; Ryan and Graham Lovin, nephews; Francis McNeill; and Dr. George Stephens.

The President of the Senate presents Colonel McArthur with a certificate of recognition and a North Carolina State Flag. The President directs the Committee to escort Colonel McArthur from the Chamber, with members standing.

INTRODUCTION

Senator Ballance offers a motion that Rule 40 be suspended to allow the introduction of the following joint resolution filed earlier today, which motion prevails by a two–thirds majority vote.

By Senators Ballance, Edwards, Page, and Lucas:

S.J.R. 1492, a joint resolution authorizing the 1995 General Assembly, Regular Session 1996, to consider a joint resolution honoring the life and memory of Charles Melvin Creecy, former member of the General Assembly.

On motion of Senator Ballance, the rules are suspended and the joint resolution is placed before the Senate for immediate consideration, upon its passage.

The joint resolution passes its second (44–0) and third readings. Receiving a two–thirds affirmative majority the joint resolution is ordered, with unanimous consent, sent to the House of Representatives by special messenger.

CALENDAR

A bill carried forward as unfinished business from Tuesday, June 11, is taken up and disposed of, as follows:

H.B. 361 (Senate Committee Substitute), a bill to amend the Section 108 Loan Guarantee Program laws and the laws governing industrial revenue bonds.

With unanimous consent, on motion of Senator Sherron, the Senate Committee Substitute bill is taken up out of its regular order of business, and on his further motion the measure is placed as the last order of business on today's Calendar.

A bill on today's Calendar is taken up and disposed of as follows:

H.B. 540 (Senate Committee Substitute), a bill to authorize the issuance of nine hundred fifty million dollars general obligation bonds of the State, subject to a vote of the qualified voters of the State, for the construction of highways and to amend the Highway Trust Fund, upon third reading.

With unanimous consent, on motion of Senator Hoyle, the Senate Committee Substitute bill is taken up out of its regular order of business.

Senator Gulley offers Amendment No. 2, held not to be material, which is adopted (47–0).

The Senate Committee Substitute bill, as amended, passes its third reading by roll–call vote, ayes 46, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Smith, Soles, Speed, Warren, Webster, and Winner—46.

Voting in the negative: Senator Simpson—1.

The Senate Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill without objection, by special messenger.

NOTICE OF INTENTION TO RECALL

S.B. 1093, a bill to repeal the defense of not guilty by reason of insanity and to establish the sentence of guilty but mentally ill, referred to the **Judiciary I/ Constitution Committee** on May 4, 1995.

Senator McDaniel rises and gives notice, pursuant to Rule 47, of his intention to recall the bill from the **Judiciary I/Constitution Committee**.

CALENDAR

A bill carried forward as unfinished business from Thursday, June 13, is taken up and disposed of, as follows:

S.B. 1411, a bill to authorize the construction and the financing, without appropriations from the General Fund, of certain capital improvements projects of the constituent institutions of the University of North Carolina and the University of North Carolina Hospitals at Chapel Hill, upon second reading.

With unanimous consent, on motion of Senator Sherron, the bill is taken up out of its regular order of business.

The bill passes it second reading by roll–call vote, ayes 44, noes 2, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder,

Dannelly, Davis, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, and Winner—44.

Voting in the negative: Senators East and Webster—2.

The Chair rules the bill does not require a call of the roll and with unanimous consent the bill remains before the Senate for further consideration upon third reading.

The bill passes its third reading and is ordered sent to the House of Representatives.

INTRODUCTION

Senator Jordan offers a motion that Rule 40 be suspended to allow the introduction of the following joint resolution filed earlier today, which motion prevails by a two–thirds majority vote.

By Senators Jordan and Soles:

S.J.R. 1493, a joint resolution authorizing the 1995 General Assembly, Regular Session 1996, to consider a bill to be entitled an act to appropriate funds for a water resources development project at Kure Beach.

On motion of Senator Jordan, the rules are suspended to the end the joint resolution is placed before the Senate for immediate consideration, upon its passage.

The joint resolution passes its second (44–3) and third readings. Receiving a two–thirds affirmative majority, the joint resolution is ordered, with unanimous consent, sent to the House of Representatives by special messenger.

APPOINTMENT OF CONFERENCE COMMITTEE

H.B. 1100 (Committee Substitute), a bill to implement the recommendation of the School Capital Construction Study Commission to authorize the issuance of general obligation bonds of the State, subject to a vote of the qualified voters of the State, to provide funds for grants to counties for public school capital outlay projects, in order to promote equity in local school facilities across the State and to enable local governments to give local property tax relief, and to ensure that certain grants for school facility needs continue to be made in accordance with the 1988 priority list, which Senate Committee Substitute bill proposes to change the title to read **H.B. 1100** (Senate Committee Substitute), a bill to implement the recommendation of the School Capital Construction Study Commission to authorize the issuance of general obligation bonds of the State, subject to a vote of the qualified voters of the State, to provide funds for grants to counties for public school capital outlay projects, in order to promote equity in local school facilities across the State and to enable local governments to give local property tax relief, and to ensure that certain grants for school facility needs continue to be made in accordance with the 1988 priority list.

Pursuant to the message from the House of Representatives received earlier today requesting conferees, Senator Basnight offers a motion that the Senate do appoint conferees, which motion prevails.

The President *Pro Tempore* appoints Senators Winner, Conder, Hobbs, Plexico, Little, Ballantine, and Edwards, as conferees on the part of the Senate to act with

a like committee from the House of Representatives to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

APPOINTMENT OF CONFERENCE COMMITTEE

H.B. 1108 (Senate Committee Substitute), a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, and to make other changes in the budget operation of the State.

Pursuant to the message from the House of Representatives received earlier today requesting conferees, Senator Basnight offers a motion that the Senate do appoint conferees, which motion prevails.

The President *Pro Tempore* appoints Senator Plyler, Chairman, Senators Perdue, Odom, Kerr, Sherron, Conder, Rand, Martin of Guilford, Martin of Pitt, Plexico, Winner, Hoyle, Warren, Ballance, Cooper, Gulley, Little, Hartsell, and Jordan, as conferees on the part of the Senate to act with a like committee from the House of Representatives to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

REFERENCE TO COMMITTEE

H.B. 1258, a bill to authorize the University of North Carolina to retain the net proceeds from sale of the former residence of the Chancellor of Winston–Salem State University for application toward purchase of the successive residence for the Chancellor, ordered held in the office of the Principal Clerk on June 13.

Pursuant to Rule 43, Senator Rand, Chairman of the **Rules and Operation of the Senate Committee**, announces referral of the bill to the **Appropriations Committee**.

H.B. 1268 (Committee Substitute), a bill to expedite disposal of unclaimed vehicles by towing and storage businesses, ordered held in the office of the Principal Clerk on June 12.

Pursuant to Rule 43, Senator Rand, Chairman of the **Rules and Operation of the Senate Committee** announces referral of the committee Substitute bill to the **Judiciary II/Election Laws Committee**.

S.B. 126, a bill to create the Long–Term Care Subcommittee and to provide for the creation of other subcommittees of the North Carolina Study Commission on Aging and to make changes to the long–term care law, received for concurrence in House Amendment No. 1 and ordered held in the office of the Principal Clerk on June 13.

Pursuant to Rule 56.1, with unanimous consent, on motion of Senator Rand, Chairman of the **Rules and Operation of the Senate Committee**, the bill is placed on the Calendar for tomorrow, Tuesday, June 18, for concurrence in House Amendment No. 1.

With bills remaining on the Calendar, on motion of Senator Basnight, seconded by Senator Smith, the Senate adjourns at 5:51 P.M. to meet tomorrow, Tuesday, June 18, at 1:30 P.M.

ONE HUNDRED THIRTY-FIRST DAY

SENATE CHAMBER
Tuesday, June 18, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Osco Gardine, Jr., Pastor of Elizabeth Baptist Church in Monroe, as follows:

"Almighty God, to whom we pledge allegiance.

"For the wonders of this day, and our place in it, we give You thanks.

"To You belong all Heaven, Earth, glory, and power. Yet You delegate the power of temporal leadership to Your creatures. In this country, You have given us the freedom to establish our own government, to oversee the welfare of our land and the many people it supports. Today, we pray for those whom we the people have chosen to lead our State.

"Thank You for the understanding that it is not easy for our elected officials to lead such a diverse people whose many wants cannot all be satisfied. Thank You for the understanding that it is not easy to discern which actions will produce the greatest good for the greatest number. Thank You for the understanding that it is not easy to withstand the huge personal temptations that come with power. Thank You for the understanding that it is not easy to bear the extraordinary pressures in our complex and conniving world.

"However, assist now Lord our elected leaders in this session. Bless them with stamina, the toughness, and the integrity to fight for what is right and honorable in Your Sight. Grant them the ability to do justice, love mercy, and walk humbly before You. Equip them with sound understanding, farsighted planning, and personal integrity. Enable them that through their wise leadership the welfare of all people may be assured, and peace maintained at home and throughout every city in our State. In the Name of Christ, our King of Kings, and Lord of Lords. Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Dannelly who is attending the funeral of a family member.

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Monday, June 17, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Charles Wilson of Greenville, who is serving the Senate as Doctor of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bill and resolution properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

S.B. 1246, an act to repeal a section of the Charter of the Town of Landis relating to ABC in conflict with general law. (Ch. 564)

S.J.R. 1489, a joint resolution honoring the life and memory of Nancy Winbon Chase, former State legislator. (Res. 20)

REPORTS OF COMMITTEES

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Jordan for the **Local Government and Regional Affairs Committee**:

S.B. 1375, a bill concerning Columbus County and the municipalities in that County, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Jordan, the rules are suspended, and the proposed Committee Substitute bill A783, which changes the title to read **S.B. 1375** (Committee Substitute), a bill to modify the manner of election of the Whiteville City Board of Education, is placed before the Senate for immediate consideration.

On motion of Senator Jordan, the Committee Substitute bill is adopted.

On motion of Senator Soles, the Committee Substitute bill remains before the Senate for immediate consideration upon its passage.

The Committee Substitute bill passes its second and third readings and is ordered without objection, sent to the House of Representatives by special messenger.

By Senator Albertson for the **Agriculture/Environment/Natural Resources Committee**:

H.B. 1339 (Committee Substitute), a bill to improve water quality by establishing a goal to reduce the average load of nitrogen delivered to the Neuse River Estuary from point and nonpoint sources by a minimum of thirty percent of the average annual load for the period 1991 through 1995 by the year 2001 and to require the Environmental Management Commission to develop a plan to achieve this goal, as recommended by the Environmental Review Commission, with a favorable report.

S.B. 1348, a bill to create the Well Contractors and Pump Contractors Certification Commission, to amend the well drillers and pump installers registration requirements, and to make various amendments to the Well Construction Act, as recommended by the Environmental Review Commission, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Albertson, the rules are suspended, and the proposed Committee Substitute bill 6695, which changes the title to read **S.B. 1348** (Committee Substitute), a bill to create the Well Contractors Certification Commission, to require that well contractors be certified, and to make various amendments to the Well Construction Act, as recommended by the Environmental Review Commission, is placed before the Senate for immediate consideration.

On motion of Senator Albertson, the Committee Substitute bill is adopted.

With unanimous consent, the Committee Substitute bill is placed on the Calendar for tomorrow, June 19, for further consideration.

H.B. 1077 (Committee Substitute), a bill recommended by the Joint Legislative Commission on Seafood and Aquaculture to allow employees on shellfish leases and franchises to work without possessing an individual shellfish license, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Albertson, the rules are suspended, and the proposed Senate Committee Substitute bill 1386, which changes the title, upon concurrence, to read **H.B. 1077** (Senate Committee Substitute), a bill to make various changes in the marine fisheries laws and to create a Scientific Advisory Council, is placed before the Senate for immediate consideration.

On motion of Senator Albertson, the Senate Committee Substitute bill is adopted.

With unanimous consent, the Senate Committee Substitute bill is placed on the Calendar for tomorrow, June 19, for further consideration.

COMMITTEE REFERRAL RECALL

H.B. 1187, a bill to permit the local boards of education in certain counties to schedule longer school days so as to offset days lost due to inclement weather, referred to the Referred to **Local Government and Regional Affairs Committee** on June 17.

Pursuant to Rule 47(b), Senator Jordan offers a motion the bill be taken from the **Local Government and Regional Affairs Committee** and re-referred to the **Education/Higher Education Committee**, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Local Government and Regional Affairs Committee** and refers the measure to the **Education/Higher Education Committee**.

H.B. 1177 (Committee Substitute), a bill to allow the merger of the Town of Battleboro into the City of Rocky Mount, referred to the **Local Government and Regional Affairs Committee** on June 17.

Pursuant to Rule 47(b), Senator Jordan offers a motion the Committee Substitute bill be taken from the **Local Government and Regional Affairs Committee** and placed on today's Calendar in its regular order of business which motions prevail with unanimous consent.

The Chair orders the Committee Substitute bill recalled from the **Local Government and Regional Affairs Committee** and places it on today's Calendar in its regular order of business, for consideration upon its passage.

H.B. 1075 (Committee Substitute), a bill to remove the expiration date on the Endorsement to Sell Program set forth in Chapter 515 of the 1993 Session Laws, referred to the **Appropriations Committee** on May 29.

Pursuant to Rule 47(b), Senator Plyler offers a motion the Committee Substitute bill be taken from the **Appropriations Committee** and placed on today's Calendar in its regular order of business which motions prevail with unanimous consent.

The Chair orders the Committee Substitute bill recalled from the **Appropriations Committee** and places it on today's Calendar in its regular order of business, for consideration upon its passage.

H.B. 233, a bill to transfer Moore County to Judicial and Prosecutorial Districts 19B, referred to the **Appropriations Committee** on July 5, 1995.

Pursuant to Rule 47(b), Senator Plyler offers a motion the bill be taken from the **Appropriations Committee** and placed on the Calendar for today, which motions he subsequently withdraws.

CALENDAR

H.B. 361 (Senate Committee Substitute), a bill to amend the Section 108 Loan Guarantee Program laws and the laws governing industrial revenue bonds, carried forward as unfinished business from June 17.

With unanimous consent, on motion of Senator Parnell, the Senate Committee Substitute bill is taken up out of its regular order of business, and on his further motion is placed on the Calendar carried forward as unfinished business from June 11 following **S.B. 1314**, a bill to improve water quality by establishing a goal to reduce the average load of nitrogen delivered to the Neuse River Estuary from point and nonpoint sources by thirty percent of the average annual load for the period 1991 through 1995 by the year 2001 and to require the Environmental Management Commission to develop a plan to achieve this goal, as recommended by the Environmental Review Commission, for further consideration.

H.B. 332 (Committee Substitute), a bill to clarify the Domiciliary and Nursing Home Penalty Assessment law, carried forward as unfinished business from Thursday, June 13.

With unanimous consent, on motion of Senator Martin Guilford the Committee Substitute bill is taken up out of its regular order of business, and on his further motion consideration of the Committee Substitute bill is postponed until tomorrow, June 19.

COMMITTEE REPORTS *(Continued)*

By Senator Gulley for the **Judiciary II/Election Laws Committee**:

H.B. 207 (Committee Substitute), a bill to make it a felony offense to solicit a child by means of computer to commit an unlawful sex act, with a favorable report, as amended.

H.B. 1125, a bill to allow one–stop ballots to be directly inserted in optical scan tabulators in Wake County as if the ballots were being voted at the precinct, with a favorable report, as amended.

S.B. 1292, a bill to clarify the maximum period of time a juvenile may be committed in accordance with the Structured Sentencing Act as recommended by the Sentencing and Policy Advisory Commission, with a favorable report, as amended.

S.B. 1293, a bill to include prior impaired driving convictions in felony prior record level calculation as recommended by the North Carolina Sentencing and Policy Advisory Commission, with a favorable report, as amended.

S.B. 1263, a bill to prohibit hunting from the right–of–way of public roads in Northampton County, with an unfavorable report as to bill, but a favorable report as to Committee Substitute bill.

On motion of Senator Gulley, the rules are suspended, and the proposed Committee Substitute bill 4707, which changes the title to read **S.B. 1263** (Committee Substitute), a bill to prohibit hunting from the right–of–way of public roads in Northampton County and to restrict hunting on the land of another in Macon County, is placed before the Senate for immediate consideration.

On motion of Senator Gulley, the Committee Substitute bill is adopted.

With unanimous consent, the Committee Substitute bill is placed on the Calendar for tomorrow, June 19, for further consideration.

H.B. 1268 (Committee Substitute), a bill to expedite disposal of unclaimed vehicles by towing and storage businesses, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Gulley, the rules are suspended, and the proposed Senate Committee Substitute bill 6251 is placed before the Senate for immediate consideration, and on his further motion is adopted.

With unanimous consent, the Senate Committee Substitute bill is placed on the Calendar for tomorrow, June 19, for further consideration.

By Senator Cooper for the **Judiciary I/Constitution Committee**:

H.B. 686 (Committee Substitute), a bill to make changes to the General Statutes pertaining to domestic violence, with a favorable report, as amended.

S.B. 1487, a bill to provide that marriages contracted outside of this State between persons of the same gender are not valid, with a favorable report, as amended.

Senator Forester offers a motion the rules be suspended to the end the bill is placed before the Senate for immediate consideration, which motion the Chair rules out of order.

Senator Forrester subsequently offers a motion the rules be suspended to the end the bill be placed on today's Calendar in its regular order of business which motion prevails. The Chair orders the bill placed on today's Calendar in its regular order of business.

S.B. 1014 (House Committee Substitute No. 2), a bill requiring criminal history record checks of unlicensed applicants for employment in nursing homes, adult care homes, and home care agencies, with a favorable report as to concurrence.

S.B. 125 (House Committee Substitute No. 2), a bill to allow cancellation by exhibition of a note secured by a deed of trust or mortgage regardless of the date of endorsement, with a favorable report as to concurrence.

H.B. 1166, a bill to modify the required disclosure statement and eliminate duplicative reporting requirements under the Charitable Solicitations Act and to modify and clarify requirements for nongovernmental entities' accountability for State grants, with a favorable report.

H.B. 1163 (Committee Substitute), a bill to provide liens on real property for the furnishing of rental equipment, with a favorable report.

By Senator Parnell for the **Commerce Committee:**

S.B. 1183, a bill regarding the jurisdiction of the Utilities Commission with regard to the resale of water or sewer service in apartments, condominiums, and

similar places as recommended by the Joint Legislative Utility Review Committee, with a favorable report.

S.B. 1256, a bill to enact the Overhead High–Voltage Line Safety Act as recommended by the Joint Legislative Utility Review Committee, with an unfavorable report as to bill but favorable as to Committee Substitute bill.

On motion of Senator Parnell, the rules are suspended, and the proposed Committee Substitute bill 4714 is placed before the Senate for immediate consideration, and on his further motion is adopted.

With unanimous consent, the Committee Substitute bill is placed on the Calendar for tomorrow, June 19 for further consideration.

By Senator Rand for the **Rules and Operation of the Senate Committee**:

H.B. 1149 (Committee Substitute), a bill to change the requirements pertaining to licensed physician registration with the North Carolina Medical Board, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Rand, the rules are suspended, and the proposed Senate Committee Substitute bill A246, which changes the title, upon concurrence, to read **H.B. 1149** (Senate Committee Substitute), a bill to change the requirements pertaining to physician licensing and registration with the North Carolina Medical Board, is placed before the Senate for immediate consideration.

On motion of Senator Rand, the Senate Committee Substitute bill is adopted and with unanimous consent, the measure is placed on the Calendar for tomorrow, June 19, for further consideration.

By Senator Sherron for the **Finance Committee**:

S.B. 1217 (Committee Substitute), a bill to implement recommendations of the Blue Ribbon Study Commission on Agricultural Waste, with an unfavorable report as to the Committee Substitute bill as written by the **Agriculture/Environment/ Natural Resources Committee,** but favorable as to Committee Substitute bill No. 2.

On motion of Senator Sherron, the rules are suspended, and the proposed Committee Substitute bill No. 2, 6696, is placed before the Senate for immediate consideration, and on his further motion is adopted.

Senator Sherron offers a motion the rules be suspended to to the end the Committee Substitute bill No. 2 be placed before the Senate for immediate consideration, upon its passage.

Senator Cochrane rises to a point of order as to the motion.

Senator Sherron subsequently amends his motion to suspend the rules to the end the Committee Substitute bill No. 2 be placed on today's Calendar in its regular order of business for further consideration upon its passage which motions prevail.

The Chair orders the Committee Substitute bill No. 2 placed on today's Calendar in its regular order of business.

H.B. 1147, a bill to update the reference to the Internal Revenue Code used in defining and determining certain State tax provisions, with a favorable report.

H.B. 1345 (Committee Substitute), a bill to implement the recommendations of the Committee on Appropriations by establishing the percentage rates for the

insurance regulatory charge and the public utility regulatory fee, with a favorable report.

S.B. 1235, a bill to authorize clerks to allocate spouse's and children's year's allowance from a decedent's estate, with a favorable report.

Pursuant to Rule 43, the bill is re–referred to the **Appropriations Committee**.

S.B. 1260, a bill to raise the foreclosure filing fees, with a favorable report.

NOTICE OF INTENTION TO RECALL

S.B. 569, a bill to extend the time limit within which a taxpayer can demand a tax refund from thirty days to the later of three years after the return was due or six months after the tax was paid, referred to the **Finance Committee** on April 3, 1995.

Senator Webster rises and gives notice, pursuant to Rule 47, of his intention to recall the bill from the **Finance Committee**.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages received in the Senate Chamber by the Principal Clerk from the House of Representatives on June 17 transmitting bills carried forward as unfinished business are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 1172 (Committee Substitute), a bill to transfer the Rail Safety Section from the Utilities Commission to the Department of Transportation and to direct the Secretary of Transportation to study the need for continuation of the Rail Safety Inspection Program.

Referred to **Transportation Committee**.

H.B. 1184, a bill relating to the duty of commissioners of the Washington Housing Authority under the provisions of Article 1 of Chapter 157 of the General Statutes.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1270, a bill to prohibit hunting from the right–of–way of Powell Road in Craven County.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1342, a bill to provide that the Cumberland County Board of Commissioners must fill a vacancy with the person nominated by the appropriate political party if the nomination is made on a timely basis.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1381, a bill to amend the designation of the Haliwa–Saponi Indian Tribe.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1395, a bill to allow for initiative, referendum, and recall in the Town of River Bend.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1419, a bill to change the local alcohol beverage control board audits from quarterly to annual to conform to the General Statutes.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1423, a bill to amend the law relating to the Emergency and Pension Fund for law enforcement officers in Mecklenburg County.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee**.

A special message received in the office of the Principal Clerk from the House of Representatives transmitting a bill is presented to the Senate, read the first time, and disposed of, as follows:

H.B. 1212, a bill to amend the Charter of the City of Greensboro with respect to settlement of claims.

Referred to **Local Government and Regional Affairs Committee**.

CALENDAR

Bills on the Calendar carried forward as unfinished business from Tuesday, June 11, are taken up and disposed of, as follows:

S.B. 1182 (Committee Substitute), a bill to enforce economy in State printing costs and to promote opportunities for increased privatization of printing.

The Committee Substitute bill passes its second (48–0) and third readings and is ordered sent to the House of Representatives.

COMMITTEE REFERRAL RECALL

S.B. 1028, a bill to require that persons convicted of certain crimes be sentenced to an active punishment of imprisonment, to provide that a person may be sentenced to an intermediate or active punishment for assault on a female, and to amend the law regarding prior convictions and their effect on the prior record level for felony sentencing, referred to the **Judiciary I/Constitution Committee** on May 4, 1995.

Pursuant to three days public notice, Senator Page offers a motion the bill be recalled from the **Judiciary I/Constitution Committee** and placed before the Senate for immediate consideration upon its passage.

Senator Cooper rises to a point of order under Rule 42.3A as to a fiscal note attached to the bill.

The Chair rules Rule 42.3A applicable to the bill and announces no fiscal note is attached.

Senator Page subsequently withdraws his motion for receipt of a fiscal note.

CALENDAR (*Continued*)

S.B. 1314, a bill to improve water quality by establishing a goal to reduce the average load of nitrogen delivered to the Neuse River Estuary from point and nonpoint sources by thirty percent of the average annual load for the period 1991 through 1995 by the year 2001 and to require the Environmental Management Commission to develop a plan to achieve this goal, as recommended by the Environmental Review Commission.

With unanimous consent, on motion of Senator Horton, the bill is recommitted to the **Agriculture/ Environment/Natural Resources Committee.**

WITHDRAWAL FROM CALENDAR

H.B. 1339 (Committee Substitute), a bill to improve water quality by establishing a goal to reduce the average load of nitrogen delivered to the Neuse River Estuary from point and nonpoint sources by a minimum of thirty percent of the average annual load for the period 1991 through 1995 by the year 2001 and to require the Environmental Management Commission to develop a plan to achieve this goal, as recommended by the Environmental Review Commission, placed on the Calendar for tomorrow, June 19, earlier today.

Senator Horton offers a motion the Committee Substitute bill be taken from the Calendar for June 19 and placed before the Senate for immediate consideration upon its passage which motions prevail with unanimous consent.

The Senate reconsiders its previous action and the Chair orders the Committee Substitute bill taken from the Calendar for June 19 and places it before the Senate for immediate consideration upon its passage.

Subsequently, on motion of Senator Horton, the Chair orders without objection, the Committee Substitute bill temporarily displaced.

CALENDAR *(Continued)*

H.B. 361 (Senate Committee Substitute), a bill to amend the Section 108 Loan Guarantee Program laws and the laws governing industrial revenue bonds.

Senator Kincaid offers Amendment No. 1, which proposes to change the title, upon concurrence, to read **H.B. 361** (Senate Committee Substitute), a bill to amend the Section 108 Loan Guarantee Program laws, to amend the laws governing industrial revenue bonds, and to provide for proportionate regional allocation of CDBG funds.

Senator Kincaid calls for the "ayes" and "noes" upon the adoption of Amendment No. 1.

Senator Gulley offers a substitute Amendment, No. 2.

On motion of Senator Kincaid, the Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced, with Amendments No. 2 and No. 1 pending.

H.B. 1339 (Committee Substitute), a bill to improve water quality by establishing a goal to reduce the average load of nitrogen delivered to the Neuse River Estuary from point and nonpoint sources by a minimum of thirty percent of the average annual load for the period 1991 through 1995 by the year 2001 and to require the Environmental Management Commission to develop a plan to achieve this goal, as recommended by the Environmental Review Commission, temporarily displaced earlier.

The Committee Substitute bill passes its second (49–0) and third readings and is ordered enrolled.

H.B. 1096, a bill to transfer responsibility for collecting the remainder of the gross premiums tax from the Department of Insurance to the Department of Revenue and to clarify related statutes, carried forward as unfinished business from Monday, June 17, upon second reading.

With unanimous consent, on motion of Senator Perdue, the bill is taken up out of its regular order of business, and on her further motion is re–referred to the **Appropriations Committee**.

S.B. 1214, a bill to make it a Class F felony offense to assault a law enforcement officer and inflict serious bodily injury and to create a new criminal offense of assaulting a firefighter as recommended by the Legislative Research Commission's Study Committee on Criminal Laws, Procedures, and Sentencing, carried forward as unfinished business from Monday, June 17, upon second reading.

With unanimous consent, on motion of Senator Perdue, the bill is taken up out of its regular order of business, and on her further motion, is re–referred to the **Appropriations Committee**.

S.B. 1291, a bill to reclassify or change the penalties for various criminal offenses as recommended by the North Carolina Sentencing and Policy Advisory Commission, carried forward as unfinished business from Monday, June 17, upon second reading.

With unanimous consent, on motion of Senator Perdue, the bill is taken up out of its regular order of business, and on her further motion is re–referred to the **Appropriations Committee**.

H.B. 1094, a bill to prohibit the imposition of a failure to pay penalty when additional tax due is paid at the time an amended return is filed or within thirty days after the additional tax was assessed, carried forward as unfinished business from Monday, June 17, upon second reading.

With unanimous consent, on motion of Senator Perdue, the bill is taken up out of its regular order of business, and on her further motion is re–referred to the **Appropriations Committee**.

H.B. 910 (Senate Committee Substitute), a bill to require the use of certain safety equipment by children when they are bicycle operators or passengers.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides.

Senator Ballantine offers Amendment No. 1 which is adopted (32–15).

The Senate Committee Substitute bill, as amended, passes its second (35–14) and third (38–5) readings and is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill, without objection, by special messenger.

With unanimous consent, Senator Basnight, President Pro Tempore, announces all measures ordered sent to the House of Representatives sent by special messenger for the remainder of the Regular Session.

S.B. 1270, a bill to authorize the Department of Transportation to establish speed limits up to seventy miles per hour on designated parts of controlled access highways, as amended, upon third reading.

Senator Basnight relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.

Senator Hoyle offers Amendment No. 2 which is adopted (46–2), changing the title to read, **S.B. 1270**, a bill to authorize the Department of Transportation to

establish speed limits up to seventy miles per hour on designated parts of controlled access highways and to provide for suspension of the license of a person driving in excess of 80 miles per hour.

Senator Gulley offers Amendment No. 3 which proposes to further change the title to read, **S.B. 1270**, a bill to authorize the Department of Transportation to establish speed limits up to sixty–five miles per hour on designated parts of controlled access highways. Amendment No. 3 fails of adoption (14–35).

The bill, as amended, passes its third reading (34–14).

The bill, as amended, is ordered engrossed and sent to the House of Representatives, without objection, by special messenger.

H.B. 361 (Senate Committee Substitute), a bill to amend the Section 108 Loan Guarantee Program laws and the laws governing industrial revenue bonds, with Amendments No. 1 and Substitute Amendment No. 2 pending, temporarily displaced earlier.

With unanimous consent, Senator Gulley withdraws Amendment No. 2.

With unanimous consent, Senator Kincaid withdraws Amendment No. 1.

Senator Kincaid offers Amendment No. 3. Senator Parnell calls the previous question on the Senate Committee Substitute bill, seconded by Senator Conder. The call is sustained. Amendment No. 3, offered by Senator Kincaid, is adopted (38–11).

The Senate Committee Substitute bill, as amended, passes its second reading (41–8).

Senator Kerr objects to the third reading of the measure. Pursuant to Rule 50, the Chair orders the measure placed on the Calendar for tomorrow, Wednesday, June 19, for further consideration upon third reading.

ORDER FOR SPECIAL MESSAGE

S.B. 1411, a bill to authorize the construction and the financing, without appropriations from the General Fund, of certain capital improvements projects of the constituent institutions of the University of North Carolina and the University of North Carolina Hospitals at Chapel Hill, ordered sent to the House of Representatives on June 17.

With unanimous consent, on motion of Senator Sherron, the Chair orders the bill sent to the House of Representatives by special messenger.

CALENDAR (*Continued*)

S.B. 1217 (Committee Substitute), a bill to implement recommendations of the Blue Ribbon Study Commission on Agricultural Waste, placed earlier today on the Calendar in its regular order of business.

Senator Albertson offers a motion the Committee Substitute bill be taken from its place on today's Calendar and placed before the Senate for immediate consideration upon its passage, which motions prevail (35–13).

The Chair rules the Committee Substitute bill does not require a call of the roll.

Senator Webster offers Amendment No. 1 which he subsequently withdraws.

Senator Albertson calls the previous question, seconded by Senator Conder. The call is not sustained.

Senator Kincaid offers Amendment No. 2 which fails of adoption (22–27).

Senator Albertson calls the previous question, seconded by Senator Conder. The call is sustained.

The Committee Substitute bill passes its second reading (40–9).

Senator Kincaid objects to the third reading of the measure. Pursuant to Rule 50, the Chair orders the Committee Substitute bill placed on the Calendar for tomorrow, Wednesday, June 19, for further consideration upon third reading.

With unanimous consent, the President grants a leave of absence for the remainder of today's Session to Senator Albertson.

S.B. 1189 (Committee Substitute), a bill to allow Hyde, Jones, Martin, New Hanover, Pitt, Surry, and Wilson Counties to acquire property for use by their County Boards of Education, carried forward as unfinished business from June 12, upon second reading.

The Committee Substitute bill passes its second reading by roll–call vote, ayes 44, noes 5, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Davis, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, and Warren—44.

Voting in the negative: Senators East, Kincaid, Perdue, Webster, and Winner—5.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Wednesday, June 19, for further consideration upon third reading.

S.B. 1313 (Committee Substitute), a bill to incorporate the Town of Castle Hayne, subject to a referendum, carried forward as unfinished business from June 13, upon second reading.

The Committee Substitute bill passes its second reading by roll–call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—47.

Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Wednesday, June 19, for further consideration upon third reading.

S.B. 1319, a bill to allow the City of Reidsville to delay the effective date of annexations as to a specified tract and to exempt the annexation of Two City Lakes from the ceiling on satellite annexations, carried forward as unfinished business from June 13, upon second reading.

On motion of Senator Foxx, consideration of the bill is postponed until tomorrow, Wednesday, June 19.

S.B. 1330, a bill to incorporate the Town of Sedalia, carried forward as unfinished business from June 13, upon second reading.

The bill passes its second reading by roll–call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—48.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Wednesday, June 19, for further consideration upon third reading.

S.B. 1365, a bill concerning modification of the municipal limits between the City of Raleigh and the Town of Garner, carried forward as unfinished business from June 13, upon second reading.

The bill passes its second reading by roll–call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Cooper, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—47.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Wednesday, June 19, for further consideration upon third reading.

S.B. 1389, a bill to deannex and detach a small area of land from the corporate limits of the City of Albemarle, North Carolina, carried forward as unfinished business from June 13, upon second reading.

The bill passes its second reading by roll–call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Cooper, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—47.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow Wednesday, June 19, for further consideration upon third reading.

S.B. 1392, a bill to annex a described area to the Town of Aberdeen, carried forward as unfinished business from June 13, upon second reading.

The bill passes its second reading by roll–call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Cooper, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—47.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow Wednesday, June 19, for further consideration upon third reading.

S.B. 1397, a bill to incorporate the Village of Sloop Point in Pender County, carried forward as unfinished business from June 13, upon second reading.

The bill passes its second reading by roll–call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Allran, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Cooper, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—46.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow Wednesday, June 19, for further consideration upon third reading.

WITHDRAWAL FROM CALENDAR

H.B. 361 (Senate Committee Substitute), a bill to amend the Section 108 Loan Guarantee Program laws and the laws governing industrial revenue bonds, as amended, placed earlier today on the Calendar for Wednesday, June 19, upon third reading.

Senator Parnell offers a motion the Senate Committee Substitute bill, as amended, be taken from the Calendar for Wednesday, June 19, and placed before the Senate for further consideration upon its third reading which motions prevail with unanimous consent.

The Senate reconsiders its previous action and the Chair orders the Senate Committee Substitute bill, as amended, taken from the Calendar for Wednesday, June 19 and places it before the Senate for further consideration upon third reading.

The Chair declares the voting equipment inoperative.

The Senate Committee Substitute bill, as amended, passes its third reading and is ordered engrossed and sent to the House of Representatives, for concurrence in Senate Committee Substitute bill without objection, by special messenger.

CALENDAR *(Continued)*

S.B. 294 (House Committee Substitute No. 2), a bill to limit the issuance and renewal of barber certificates, permits, and licenses, to establish late fees for expired certificates, to make certain revisions to the law governing the Board of Barber Examiners and the sanitary rules, and to make conforming changes to the Cosmetic Art Act, for concurrence in the House Committee Substitute bill No. 2, upon second reading.

The Chair rules the measure does not require a call of the roll.

Senator Plyler offers a motion further consideration of the measure upon concurrence be postponed until tomorrow, Wednesday, June 19, which motion prevails (24–23).

The Chair orders the measure placed on the calendar for tomorrow, Wednesday, June 19, for concurrence, in the House Committee Substitute bill No. 2.

S.B. 1487, a bill to provide that marriages contracted outside of this State between persons of the same gender are not valid, placed on today's Calendar in its regular order earlier today.

With unanimous consent, on motion of Senator Forrester, the bill is taken up out of its regular order of business.

On motion of Senator Cooper, Committee Amendment No. 1 is adopted, changing the title to read **S.B. 1487** a bill to provide that marriages recognized outside of this State between persons of the same gender are not valid.

Senator Forrester, seconded by Senator Cochrane, calls the previous question. The call is sustained.

The bill, as amended, passes its second (42–5) and third readings and is ordered, without objection, sent to the House of Representatives by special messenger without engrossment of Amendment No. 1.

With unanimous consent, Senator Forrester is granted a leave of absence for the remainder of today's session.

RECONSIDERATION

S.B. 1319, a bill to allow the City of Reidsville to delay the effective date of annexations as to a specified tract and to exempt the annexation of Two City Lakes from the ceiling on satellite annexations, placed earlier today on the Calendar for Wednesday, June 19, upon second reading.

Senator Foxx offers a motion the vote by which the bill was placed on the Calendar for Wednesday, June 19 be reconsidered, which motion prevails and the question becomes the motion to Calendar the bill for Wednesday, June 19.

With unanimous consent, Senator Foxx withdraws her motion.

The bill passes its second reading by roll–call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Davis, Edwards, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—45.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow Wednesday, June 19, for further consideration upon third reading.

CALENDAR *(Continued)*

H.B. 1401, a bill amending the Charter of the City of Fayetteville regarding zoning hearings, on today's Calendar.

With unanimous consent, on motion of Senator Edwards, the bill is taken up out of its regular order of business and on his further motion, consideration of the bill is postponed until Thursday, June 20.

S.J.R. 1099, a joint resolution honoring the life and memory of Nancy Winbon Chase, former State Legislator, carried forward as unfinished business from Monday, June 17.

With unanimous consent, on motion of Senator Kerr, the joint resolution is taken up out of its regular order of business and on his further motion, is recommitted to the **Rules and Operation of the Senate Committee**.

Bills carried forward as unfinished business from Wednesday, June 12, are taken up and disposed of, as follows:

S.B. 1400, a bill to provide for a referendum in Brunswick County on the questions of changing the terms of office of the Brunswick County Board of Commissioners and the Brunswick County Board of Education from two years to four years.

The bill passes its second and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

H.B. 1347, a bill to allow the Cumberland County Board of Education to permit the use of public school buses to serve the transportation needs of the National Forensics League Tournament, on today's Calendar.

With unanimous consent, on motion of Senator Rand, the bill is taken up out of its regular order of business and on his further motion, is recommitted to the **Local Government and Regional Affairs Committee**.

H.B. 1112, a bill to authorize the Town of Maxton to convey certain property at private sale to the Historic Preservation Foundation of North Carolina, Inc., a nonprofit corporation, carried forward as unfinished business from Thursday, June 13.

With unanimous consent on motion of Senator Parnell, the bill is taken up out of its regular order of business, and on his further motion, consideration of the bill is postponed until Wednesday, June 19.

S.B. 1122, a bill to repeal the sunset on designation of Employment Security Commission offices as voter registration agencies and to provide for funding.

The bill passes its second (40–2) and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

Bills carried forward as unfinished business from Thursday, June 13, are taken up out of the regular order of business and disposed of as follows:

H.B. 1081, a bill to modify the membership, qualifications for appointment, and terms of the trustees for Albemarle Hospital in Pasquotank County.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1133, a bill to permit one–stop voting on direct record voting equipment in Pasquotank County.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1185 (Committee Substitute), a bill to provide staggered terms for members of the Board of Commissioners of the Town of Lumber Bridge and provide a four–year term for the Mayor.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H.B. 1256, a bill to provide staggered terms for the governing board of the Town of Spruce Pine, and concerning the voting power of the Mayor.

On motion of Senator Jordan, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1, without objection, by special messenger.

H.B. 1136 (Committee Substitute), a bill to allow Craven County and the Cities of New Bern and Havelock to donate unclaimed bicycles to charity, on today's Calendar.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H.B. 1298 (Committee Substitute), a bill regarding requirements for sprinkler systems in fraternity and sorority houses in the Towns of Chapel Hill and Carrboro and their extraterritorial planning jurisdictions, on today's Calendar.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

S.J.R. 1490, a joint resolution honoring John Carteret, Earl of Granville, for whom Granville County was named upon the occasion of the Two Hundred Fiftieth Anniversary of Granville County, carried forward as unfinished business from Monday, June 17.

With unanimous consent, on motion of Senator Gulley, the joint resolution is taken up out of its regular order of business.

The joint resolution passes its second and third readings and is ordered with out objection, sent to the House of Representatives by special messenger.

H.B. 1130, a bill to authorize the Counties of Camden, Chowan, Currituck, Pasquotank, Perquimans, Tyrrell, and Washington to take a lien on real property for delinquent fees for certain inspections, on today's Calendar, upon second reading.

The bill passes its second reading by roll–call vote, ayes 42, noes 0, as follows:

Voting in the affirmative: Senators Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Davis, East, Edwards, Foxx, Gulley, Hartsell, Horton, Hoyle, Jordan, Kerr, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Smith, Soles, Speed, and Winner—42.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Wednesday, June 19, for further consideration upon third reading.

H.B. 1177 (Committee Substitute), a bill to allow the merger of the Town of Battleboro into the City of Rocky Mount, placed on the Calendar earlier today, upon second reading.

The Committee Substitute bill passes its second reading by roll–call vote, ayes 42, noes 0, as follows:

Voting in the affirmative: Senators Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Davis, East, Edwards, Foxx, Gulley, Hartsell, Horton, Hoyle, Jordan, Kerr, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Smith, Soles, Speed, and Winner—42.

Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Wednesday, June 19, for further consideration upon third reading.

H.B. 1075 (Committee Substitute), a bill to remove the expiration date on the Endorsement to Sell Program set forth in Chapter 515 of the 1993 Session Laws, placed on the Calendar earlier today.

With unanimous consent, on motion of Senator Perdue, the Committee Substitute bill is taken up out of its regular order of business.

The Committee Substitute bill passes its second reading (42–1).

Senator McDaniel objects to the third reading of the measure. Pursuant to Rule 50, the Chair orders the measure placed on the Calendar for tomorrow, Wednesday, June 19, for further consideration upon third reading.

S.B. 1173 (Committee Substitute), a bill to permit the local Boards of Education in Alleghany and Stokes Counties to schedule longer school days so as to offset days lost due to inclement weather, on today's Calendar, for concurrence in House Amendment No. 1.

With unanimous consent, on motion of Senator Winner, the Committee Substitute bill is taken up out of its regular order of business.

The Senate fails to concur in House Amendment No. 1 (3–39).

On motion of Senator Basnight, the Senate recesses at 6:54 P.M. for the purpose of an **Appropriations Committee** meeting to reconvene at 7:00 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

APPOINTMENT OF CONFERENCE COMMITTEE

S.B. 1173 (Committee Substitute), a bill to permit the local Boards of Education in Alleghany and Stokes Counties to schedule longer school days so as to offset days lost due to inclement weather, with the Senate failing to concur in House Amendment No. 1 earlier today.

Senator Winner offers a motion the Senate do appoint conferees, which motion prevails.

The President *Pro Tempore* appoints Senator Winner, Chairman, and Senator Plexico, and Senator Foxx as conferees on the part of the Senate to resolve the differences arising between the two Bodies, and a message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

CALENDAR *(Continued)*

Bills carried forward as unfinished business from Wednesday, June 12, continued:

S.B. 1126, a bill to allow the appointment in certain circumstances of precinct officials and ballot counters for a precinct who are not registered to vote in that precinct.

On motion of Senator Gulley, Committee Amendments No. 1 and No. 2 are adopted.

On motion of Senator Gulley, Committee Amendment No. 3 is adopted, changing the title to read **S.B. 1126** a bill to allow the appointment in certain

circumstances of precinct officials, observers, and ballot counters for a precinct who are not registered to vote in that precinct.

Senator Page offers Amendment No. 4 which is adopted (44–0).

The bill, as amended, passes its second (44–0) and third readings and is ordered engrossed and sent to the House of Representatives by special messenger.

REPORT OF COMMITTEE

A standing committee report is submitted out of the regular order of business, a bill is read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Plyler for the **Appropriations Committee**:

H.B. 233, a bill to transfer Moore County to Judicial and Prosecutorial Districts 19B, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Plyler, the rules are suspended, and the proposed Senate Committee Substitute bill 1387 is placed before the Senate for immediate consideration, and on his further motion is adopted.

With unanimous consent, the Senate Committee Substitute bill is placed on the Calendar for Wednesday, June 19, for further consideration.

CALENDAR *(Continued)*

S.B. 1241, a bill recommended by the Child Fatality Task Force to improve the definition of "dependent juvenile."

The bill passes its second (41–0) and third readings and is ordered, without objection, sent to the House of Representatives by special messenger.

S.B. 1308, a bill to authorize administrative search warrants to be served at hours other than between 8:00 A.M. and 8:00 P.M. when there is probable cause to believe that the activity that justifies the administrative search warrant will occur at other hours, as recommended by the Environmental Review Commission.

On motion of Senator Cooper, Committee Amendment No. 1 is adopted.

With unanimous consent, the President grants a leave of absence for the remainder of today's Session to Senator Carpenter.

The bill, as amended, passes its second (40–1) and third readings and is ordered engrossed and sent to the House of Representatives by special messenger.

With bills remaining on the Calendar, on motion of Senator Basnight, seconded by Senator Hartsell, the Senate adjourns at 7:27 P.M. to meet tomorrow, Wednesday, June 19, at 1:00 P.M.

ONE HUNDRED THIRTY-SECOND DAY

SENATE CHAMBER
Wednesday, June 19, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Rick Clayton, Pastor of Louisburg United Methodist Church in Louisburg, as follows:

"For the beauty of the earth and all Your glorious works, we give You thanks, Our Loving God. We cherish the bonds of friendship and the privilege to serve one another in life. Thank You for the honor bestowed upon us to be caretakers of all creation.

"We especially gather this afternoon to ask Your Rich Blessings upon the North Carolina Senate. Direct them by Your Wisdom and support them by Your Power that they may pursue all their rightful duties to a good end. Keep their vision ever clear that they may seek justice for all human beings. Keep them ever faithful to the ideals of the government established in this land, that they may serve this State with dedication and loyalty.

"Help each of us, Gracious God, to be humble in a world that seeks power. Help us to be sensitive in a world that can be so insensitive. Help us to serve with compassion to fulfill the life we are called to live.

"Strengthen us all to live with faith and righteousness, charity and peace, industry and purpose, that we may spend worthily our days, and at the last, obtain Your Mercy and enter into Your Promised Joy. We offer this prayer in a posture of faith and in an attitude of gratitude. In the Name of Jesus Christ. Amen."

With unanimous consent, the President grants leave of absence for today to Senator Little who is attending a funeral.

Senator Soles, Deputy President *Pro Tempore*, announces the Journal of yesterday, Tuesday, June 18, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. D.E. Ward of Lumberton, who is serving the Senate as Doctor of the Day.

ENROLLED BILLS

The Enrolling Clerk reports the following bills properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

S.B. 1245, an act concerning the definition of subdivision for the Town of Rose Hill. (Ch. 565)

S.B. 1267, an act to add New Hanover County to those counties in which a tenant's refusal to perform a contract for the rental of land is grounds for dispossession. (Ch. 566)

H.B. 1081, an act to modify the membership, qualifications for appointment, and terms of the trustees for Albemarle Hospital in Pasquotank County. (Ch. 567)

H.B. 1133, an act to permit one–stop voting on direct record voting equipment in Pasquotank County. (Ch. 568)

H.B. 1136 (Committee Substitute), an act to allow Craven County and the Cities of New Bern and Havelock to donate unclaimed bicycles to charity. (Ch. 569)

H.B. 1185 (Committee Substitute), an act to provide staggered terms for members of the Board of Commissioners of the Town of Lumber Bridge and provide a four–year term for the Mayor. (Ch. 570)

H.B. 1298 (Committee Substitute), an act regarding requirements for sprinkler systems in fraternity and sorority houses in the Towns of Chapel Hill and Carrboro and their extraterritorial planning jurisdictions. (Ch. 571)

H.B. 1339 (Committee Substitute), an act to improve water quality by establishing a goal to reduce the average load of nitrogen delivered to the Neuse River Estuary from point and nonpoint sources by a minimum of thirty percent of the average annual load for the period 1991 through 1995 by the year 2001 and to require the Environmental Management Commission to develop a plan to achieve this goal, as recommended by the Environmental Review Commission. (Ch. 572)

S.B. 1181, an act to allow utility poles carried on side–loaders to extend more than three feet beyond the front bumper of the vehicle. (Ch. 573)

The Chair extends courtesies of the gallery to Darryl R. White, former Secretary of the Senate of the State of California.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages received in the office of the Principal Clerk from the House of Representatives transmitting bills for concurrence are presented to the Senate, and disposed of, as follows:

S.B. 821, a bill to amend the definition of preneed funeral funds, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read **S.B. 821** (House Committee Substitute), a bill to clarify the law relating to the preneed sales of funeral merchandise, which is placed on the Calendar for tomorrow, June 20.

S.B. 1275 (Committee Substitute), a bill to provide incentives for high quality jobs and business expansion in North Carolina, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read **S.B. 1275** (House Committee Substitute), a bill to provide tax relief and to promote economic development.

Recommitted to **Finance Committee**.

Special messages received in the office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 986 (Committee Substitute), a bill to reduce the white goods disposal tax rate by approximately thirty–three percent and to provide that white goods tax revenue that is not needed for the management of discarded white goods may be used to clean up illegal dump sites.
Referred to **Finance Committee**.

H.B. 1210, a bill clarifying the distribution of profits from the operation of the Dare County Alcoholic Beverage Control Board.
Referred to **Local Government and Regional Affairs Committee**.

H.B. 1287 (Committee Substitute), a bill to include prior impaired driving convictions in felony prior record level calculation, to provide for an indefinite civil suspension of a drivers license when a driver is charged with an impaired driving offense while another impaired driving offense is pending disposition, and to allow for modification of sentence for impaired driving on remand to district court or withdrawal of appeal.
Referred to **Judiciary II/Election Laws Committee**.

H.B. 1294, a bill recommended by the Child Fatality Task Force to require all State agencies that deal with child health and welfare to report data collection to the Child Fatality Task Force.
Referred to **Children and Human Resources Committee.**

H.B. 1296 (Committee Substitute), a bill to repeal the thirty–day tax protest rule and allow a taxpayer to request a refund of certain illegal taxes anytime within three years after the tax was due or six months after paying the tax, whichever is later.
Referred to **Finance Committee**.

H.B. 1328, a bill to abolish the Sanford Golf Commission.
Referred to **Local Government and Regional Affairs Committee**.

H.B. 1357 (Committee Substitute), a bill to exempt the annexation of the Edenton Airport from the ceiling on satellite annexations by the Town of Edenton.
Referred to **Local Government and Regional Affairs Committee**.

REPORT TO GENERAL ASSEMBLY

Agencies directed to report to the General Assembly submit a report *(See Addendum)* which is ordered placed on file in the Legislative Library, as follows:

The Office of the State Controller along with the Office of the State Budget and Management and the North Carolina Department of Revenue, submit the *State of North Carolina Summary of Financial Condition, May 31, 1996.*

PAGES

The President recognizes the following pages serving in Senate this week:

Paul Stephen Atkins, Lincolnton; Korie Beth Baldwin, Elizabeth City; Adrienne Renee Barber, Hillsborough; Shelby Anne Barber, Washington; Amanda Lea

Bennett, Eden; Meredith Brooke Berry, Elizabeth City; Lindsay Bost, Charlotte; Phillip Cowan, Fayetteville; Christopher Michael Craven, Greensboro; Josh Davis, New Bern; Christopher Alan Dellinger, Cherryville; John Wyatt Dickson, Jr., Fayetteville; James Christopher Edge, Bolton; Kathleen Ann Gallina, Fayetteville; Elizabeth Atkinson Gray, Kill Devil Hills; Edward Whitaker Grannis III, Fayetteville; John William Hall, Greensboro; Jocelyn Renee Hannah, Eden; Julia Lane Innes, Gastonia; Anna Kluttz, Cherryville; Susannah Jane Lawrence, Raleigh; Katie Tayloe Litchfield, Washington; Nathan C. McGhee, Raleigh; Sarah Neal, Kitty Hawk; Carrie McCready O'Brien, Raleigh; Amy Elizabeth Pearson, Nashville; Jennifer Paige Pridgen, Rocky Mount; Laura Auman Roose, Troy; Robert Andrew Schwentker, Raleigh; and Jennifer Stacey Wooten, Fuquay–Varina.

COURTESIES

With unanimous consent, on motion of Senator Rand, privileges of the floor are extended to the North Carolina Principal of the Year, Mrs. Mary McDuffie, Principal of 71st High School in Fayetteville. The President recognizes Senator Basnight, President *Pro Tempore*, who appoints Senator Rand of Cumberland, Senator Soles of Columbus, Senator Edwards of Cumberland, Senator Plyler of Union, Senator Conder of Richmond, and Senator Simpson of Burke to escort, the guest to the Well of the Senate. Mrs. McDuffie is received by the Senate standing.

Senator Rand presents Mrs. Mary McDuffie, North Carolina Principal of the Year, to the President of the Senate who recognizes her to address the Senate. Mrs. McDuffie offers brief remarks to the Senate. The Senate responds with an ovation.

The President of the Senate congratulates Mrs. McDuffie and presents her with a North Carolina State Flag. The President directs the Committee to escort the guest from the Chamber.

CALENDAR

Pursuant to the motion of Senator Basnight, prevailing on Tuesday, June 18, all measures ordered sent to the House of Representatives through adjournment of the Second Regular Session are sent by special messenger.

Bills on today's Calendar are taken up out of the regular order of business and disposed of, as follows:

S.B. 1189 (Committee Substitute), a bill to allow Hyde, Jones, Martin, New Hanover, Pitt, Surry, and Wilson Counties to acquire property for use by their County Boards of Education, upon third reading.

The Committee Substitute bill passes its third reading by roll–call vote, ayes 41, noes 2, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Blackmon, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Davis, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Soles, Speed, and Warren—41.

Voting in the negative: Senators East and Winner—2.

The Committee Substitute bill is ordered sent to the House of Representatives by special messenger.

S.B. 1319, a bill to allow the City of Reidsville to delay the effective date of annexations as to a specified tract and to exempt the annexation of Two City Lakes from the ceiling on satellite annexations, upon third reading.

Senator Foxx offers Amendment No. 1 which proposes to change the title to read **S.B. 1319**, a bill to be entitled an act to allow the city of Reidsville to delay the effective date of annexations as to a specified tract, to exempt the annexation of Two City Lakes from ceiling on satellite annexations and to revive the Charter of the Town of Wentworth, subject, to a referendum.

The Chair rules Amendment No. 1 not germane to the bill and displaces the Amendment.

The bill passes its third reading by roll–call vote, ayes 45, noes, 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kincaid, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Soles, Speed, Warren, Webster, and Winner—45.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives by special messenger.

S.B. 1313 (Committee Substitute), a bill to incorporate the Town of Castle Hayne, subject to a referendum, upon third reading.

The Committee Substitute bill passes its third reading by roll–call vote, ayes 44, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Cooper, Dannelly, Davis, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Soles, Speed, Webster, and Winner—44.

Voting in the negative: Senator East—1.

The Committee Substitute bill is ordered sent to the House of Representatives by special messenger.

S.B. 1330, a bill to incorporate the Town of Sedalia, upon third reading.

The bill passes its third reading by roll–call vote, ayes 44, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Cooper, Dannelly, Davis, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Soles, Speed, Webster, and Winner—44.

Voting in the negative: Senator East—1.

The bill is ordered sent to the House of Representatives by special messenger.

S.B. 1365, a bill concerning modification of the municipal limits between the City of Raleigh and the Town of Garner, upon third reading.

The bill passes its third reading by roll-call vote, ayes 44, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Cooper, Dannelly, Davis, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Soles, Speed, Webster, and Winner—44.

Voting in the negative: Senator East—1.

The bill is ordered sent to the House of Representatives by special messenger.

S.B. 1389, a bill to deannex and detach a small area of land from the corporate limits of the City of Albemarle, North Carolina, upon third reading.

The bill passes its third reading by roll-call vote, ayes 44, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Cooper, Dannelly, Davis, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Soles, Speed, Webster, and Winner—44.

Voting in the negative: Senator East—1.

The bill is ordered sent to the House of Representatives by special messenger.

S.B. 1392, a bill to annex a described area to the Town of Aberdeen, upon third reading.

The bill passes its third reading by roll-call vote, ayes 44, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Cooper, Dannelly, Davis, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Soles, Speed, Webster, and Winner—44.

Voting in the negative: Senator East—1.

The bill is ordered sent to the House of Representatives by special messenger.

S.B. 1397, a bill to incorporate the Village of Sloop Point in Pender County, upon third reading.

The bill passes its third reading by roll-call vote, ayes 44, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Cooper, Dannelly, Davis, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Soles, Speed, Webster, and Winner—44.

Voting in the negative: Senator East—1.

The bill is ordered sent to the House of Representatives by special messenger.

H.B. 1130, a bill to authorize the Counties of Camden, Chowan, Currituck, Pasquotank, Perquimans, Tyrrell, and Washington to take a lien on real property for delinquent fees for certain inspections, upon third reading.

The bill passes its third reading by roll-call vote, ayes 44, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Cooper, Dannelly, Davis, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Soles, Speed, Webster, and Winner—44.

Voting in the negative: Senator East—1.

The bill is ordered enrolled.

H.B. 1177 (Committee Substitute), a bill to allow the merger of the Town of Battleboro into the City of Rocky Mount, upon third reading.

The Committee Substitute bill passes its third reading by roll–call vote, ayes 44, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Cooper, Dannelly, Davis, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Soles, Speed, Webster, and Winner—44.

Voting in the negative: Senator East—1.

The Committee Substitute bill is ordered enrolled.

S.B. 1263 (Committee Substitute), a bill to prohibit hunting from the right–of–way of public roads in Northampton County and to restrict hunting on the land of another in Macon County.

The Committee Substitute bill passes its second and third readings.

Senator Rand requests to be recorded voting "aye."

The Committee Substitute bill is ordered sent to the House of Representatives by special messenger.

H.B. 1112, a bill to authorize the Town of Maxton to convey certain property at private sale to the Historic Preservation Foundation of North Carolina, Inc., a nonprofit corporation.

The bill passes its second and third readings.

Senator Rand requests to be recorded voting "aye."

The bill is ordered enrolled.

H.B. 1125, a bill to allow one–stop ballots to be directly inserted in optical scan tabulators in Wake County as if the ballots were being voted at the precinct.

On motion of Senator Lucas, Committee Amendment No. 1 is adopted, changing the title, upon concurrence, to read **H.B. 1125**, a bill to allow one–stop ballots to be directly inserted in optical scan tabulators in Wake and Durham Counties as if the ballots were being voted at the precinct.

The bill, as amended, passes its second reading.

Senator Rand requests to be recorded voting "aye."

Senator Sherron objects to the third reading of the measure. Pursuant to Rule 50, the Chair orders the measure placed on the calendar for tomorrow, Thursday, June 20, for further consideration upon third reading.

S.B. 1293, a bill to include prior impaired driving convictions in felony prior record level calculation as recommended by the North Carolina Sentencing and

Policy Advisory Commission.

On motion of Senator Odom, the bill is taken up out of its regular order of business, and on his further motion is re-referred to the **Appropriations Committee** (24–22).

H.B. 1166, a bill to modify the required disclosure statement and eliminate duplicative reporting requirements under the Charitable Solicitations Act and to modify and clarify requirements for nongovernmental entities' accountability for State grants.

On motion of Senator Odom, the bill is taken up out of its regular order of business and on his further motion is re-referred to the **Appropriations Committee** (26–21).

H.B. 1147, a bill to update the reference to the Internal Revenue Code used in defining and determining certain State tax provisions, upon second reading.

The bill passes its second reading by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Lucas, Martin of Pitt, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—47.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Thursday, June 20, for further consideration, upon third reading.

H.B. 1345 (Committee Substitute), a bill to implement the recommendations of the Committee on Appropriations by establishing the percentage rates for the insurance regulatory charge and the public utility regulatory fee, upon second reading.

The Committee Substitute bill passes its second reading by roll-call vote, ayes 46, noes 2, as follows:

Voting in the affirmative: Senators Albertson, Allran, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—46.

Voting in the negative: Senators Ballantine and Page—2.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Thursday, June 20, for further consideration upon third reading.

S.B. 1183, a bill regarding the jurisdiction of the Utilities Commission with regard to the resale of water or sewer service in apartments, condominiums, and similar places as recommended by the Joint Legislative Utility Review Committee.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides.

The bill passes its second (44–2) and third (43–2) readings and is ordered sent to the House of Representatives by special messenger.

REPORT OF COMMITTEE

A standing committee report is submitted out of the regular order of business, bills are read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Soles for the **Pensions and Retirement/Insurance/State Personnel Committee**:

H.B. 1201 (Committee Substitute), a bill to provide that insurers are not required to obtain written consent to rate on each policy renewal as recommended by the Legislative Research Commission's Committee on Insurance and Insurance-Related Issues, with a favorable report.

H.B. 1202 (Committee Substitute), a bill to conform the law governing small employer health benefit plans to 1995 legislation as recommended by the Legislative Research Commission's Committee on Insurance and Insurance-Related Issues and to clarify the applicability of certain medical underwriting provisions, with a favorable report.

S.B. 1344, a bill to amend the laws governing Employee Insurance Committees, with a favorable report.

H.B. 1199 (Committee Substitute), a bill to revise the definition of nonfleet motor vehicle to allow flexibility for the number of automobiles that may be written under a personal automobile insurance policy as recommended by the Legislative Research Commission's Committee on Insurance and Insurance-Related Issues, with a favorable report, as amended.

H.B. 1086 (Committee Substitute), a bill to make technical corrections in the 1995 workers' compensation insurance loss costs rating laws, with an unfavorable report as to Committee Substitute bill but favorable as to Senate Committee Substitute bill.

On motion of Senator Soles, the rules are suspended, and the proposed Senate Committee Substitute bill 1389 is placed before the Senate for immediate consideration, and on his further motion is adopted.

With unanimous consent, the Senate Committee Substitute bill is placed on the Calendar for tomorrow, June 20, for further consideration.

CALENDAR *(Continued)*

S.B. 1256 (Committee Substitute), a bill to enact the Overhead High-Voltage Line Safety Act as recommended by the Joint Legislative Utility Review Committee.

Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.

On motion of Senator Rand, the Chair orders, without objection, the Committee Substitute bill temporarily displaced.

WITHDRAWAL FROM CLERK'S OFFICE

H.B. 1233 (Committee Substitute No. 2), a bill to enact the Overhead High-Voltage Line Safety Act as recommended by the Joint Legislative Utility Review

Committee, ordered held in the office of the Principal Clerk on June 17, pending referral to committee.

Senator Rand offers a motion the rules be suspended to the end the Committee Substitute bill No. 2 be taken from the office of the Principal Clerk and placed before the Senate for immediate consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the Committee Substitute bill No. 2 recalled from the office of the Principal Clerk and places it before the Senate for immediate consideration upon its passage.

The Committee Substitute bill No. 2 passes its second reading (44–3).

Senator Shaw objects to the third reading of the measure. Pursuant to Rule 50, the Chair orders the Committee Substitute bill No. 2 placed on the Calendar for tomorrow, Thursday, June 20, for further consideration upon third reading.

EXECUTIVE ORDERS

An Executive Order received *(see Appendix)* is presented to the Senate, read, and referred to committee, as follows:

Executive Order No. 96,
Task Force on Racial or Religious Violence and Intimidation.
Referred to **Rules and Operation of the Senate Committee.**

CALENDAR *(Continued)*

S.B. 1217 (Committee Substitute No. 2), a bill to implement recommendations of the Blue Ribbon Study Commission on Agricultural Waste, on today's Calendar, upon third reading.

With unanimous consent, on motion of Senator Rand, the Committee Substitute bill No. 2 is placed before the Senate for immediate consideration.

Senator McDaniel offers Amendment No. 3, with a fiscal note, which fails of adoption (22–27).

Senator Martin of Pitt offers Amendment No. 4 which is adopted (41–7).

Senator Ballantine offers Amendment No. 5.

Senator Kerr rises to a point of order under Article II, Section 24(1)(a) of the *Constitution of North Carolina* as to the constitutionality of Amendment No. 5 offered by Senator Ballantine. The Chair declines to entertain an inquiry on the interpretation of the Constitution.

Following lengthy debate, Amendment No. 5, offered by Senate Ballantine, fails of adoption (23–26).

Senator Page offers Amendment No. 6 which fails of adoption (22–26).

Senator Albertson calls the previous question, seconded by Senator Rand. The call is sustained.

The Committee Substitute bill No. 2, as amended, passes its third reading (43–5).

The Committee Substitute bill No. 2, as amended, is ordered engrossed and sent to the House of Representatives by special messenger.

The Chair returns to the regular order of business and bills on the Calendar carried forward as unfinished business from Thursday, June 13, are taken up and disposed of as follows:

S.B. 1146, a bill to repeal the law prohibiting licensed reinsures from assuming reinsurance from nonadmitted insurers as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

On motion of Senator Soles, Committee Amendment No. 1 is adopted, changing the title to read **S.B. 1146**, a bill to repeal the law prohibiting licensed reinsurers from assuming reinsurance from nonadmitted insurers as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues and to make clarifying amendments in the 1995 Assumption Reinsurance Law.

The bill, as amended, passes its second (40–0) and third readings and is ordered engrossed and sent to the House of Representatives by special messenger.

S.B. 1148, a bill to provide additional coverage under the North Carolina Beach Plan as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

The bill passes its second (41–0) and third readings and is ordered sent to the House of Representatives by special messenger.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides.

S.B. 1188 (Committee Substitute), a bill to establish the offenses of trespass on pine straw production land and larceny of pine straw.

Senator Foxx offers Amendment No. 1 which proposes to change the title to read **S.B. 1188** (Committee Substitute), a bill to establish the offenses of trespass on pine straw production land and larceny of pine straw and to increase the punishment for making a bomb threat.

Senator Rand rises to a point of order under Rule 57.1 as to germaneness of Amendment No. 1 offered by Senator Foxx. The Chair rules Amendment No. 1 not germane to the original subject matter of the Committee Substitute bill and displaces the Amendment.

Senator McDaniel rises to a point of order under Rule 42.1(a) as to the attachment of a fiscal note to the Committee Substitute bill. The Chair announces no fiscal note attached and orders the Committee Substitute bill placed on the Calendar for tomorrow, June 20, pending receipt of a fiscal note.

REPORTS OF COMMITTEES

Standing committee reports are submitted out of the regular order of business, bills are read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Gulley for the **Judiciary II/Election Laws Committee**:

H.B. 9 (Committee Substitute), a bill to expedite the postconviction process in North Carolina, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Gulley, the rules are suspended, and the proposed Senate Committee Substitute bill 1392 is placed before the Senate for immediate consideration, and on his further motion is adopted.

With unanimous consent, the Senate Committee Substitute bill is placed on the Calendar for tomorrow, June 20, for further consideration.

By Senator Jordan for the **Local Government and Regional Affairs Committee**:

H.B. 1097, a bill to permit the City of Brevard to convey certain parcels of real property to former owners or adjoining owners with or without consideration, with a favorable report.

H.B. 1131, a bill to permit extension of candidate filing for local offices in Pasquotank County when the County Board of Elections Office is closed on the last day for filing due to severe weather conditions, with a favorable report.

H.B. 1137, a bill to allow the Town of Fuquay–Varina to review any request for withdrawal of dedication of any street or street easement before any dedication can be withdrawn, with a favorable report.

H.B. 1156, a bill to allow the Town of Mooresville to donate unclaimed bicycles to charity, with a favorable report.

H.B. 1184, a bill relating to the duty of commissioners of the Washington Housing Authority under the provisions of Article 1 of Chapter 157 of the General Statutes, with a favorable report.

H.B. 1209, a bill to authorize the Cities of Brevard and Hendersonville to create squirrel sanctuaries for the preservation of the "Brevard White Squirrel," with a favorable report.

H.B. 1215, a bill to authorize the Rockingham Board of Equalization and Review to meet after its formal adjournment, with a favorable report.

H.B. 1219, a bill to allow the County of Alamance and the cities located in that County to donate unclaimed bicycles to charity, with a favorable report.

H.B. 1254 (Committee Substitute), a bill to amend the Charter of the City of Havelock concerning the powers of the city manager, with a favorable report.

H.B. 1279, a bill concerning the manner of selecting the Mayor *Pro Tempore* of the Town of Mount Holly, with a favorable report.

H.B. 1358, a bill to authorize the City of Burlington, North Carolina, to convey certain surplus property by private sale to Habitat for Humanity of Alamance County, N. C., Inc., with a favorable report.

H.B. 1371, a bill to exempt the County of Johnston from certain statutory requirements relating to the construction of an animal control facility, with a favorable report.

H.B. 1376 (Committee Substitute), a bill to remove the bag limits on the trapping of raccoons in Beaufort, Craven, Hyde, Pamlico, and Pitt Counties, with a favorable report.

H.B. 1384, a bill to limit the height of structures in the Town of Calabash and to allow exceptions to the height limit upon approval by referendum, with a favorable report.

H.B. 1385, a bill to provide for a referendum in Brunswick County on the questions of changing the terms of office of the Brunswick County Board of Commissioners and the Brunswick County Board of Education from two years to four years, with a favorable report.

H.B. 1394, a bill to allow the Counties of Graham and Cherokee to acquire property for use by the County Board of Education, with a favorable report.

With unanimous consent, on motion of Senator Jordan, the bill is re–referred to the **Finance Committee**.

H.B. 1395, a bill to allow for initiative, referendum, and recall in the Town of River Bend, with a favorable report.

H.B. 1400, a bill establishing the Harmon Field Board of Supervisors for administration of Harmon Field located in Polk County, with a favorable report.

H.B. 1414, a bill relating to the Charlotte Civil Service Board, with a favorable report.

H.B. 1419, a bill to change the local alcohol beverage control board audits from quarterly to annual to conform to the General Statutes, with a favorable report.

H.B. 1080 (Committee Substitute), a bill to make fox hunting in Currituck County consistent with the regulations of the Wildlife Resources Commission by repealing the law authorizing fox hunting in certain portions of Currituck County at all times of the year, with a favorable report, as amended.

H.B. 1372, a bill to confirm that Stanly County may purchase and convey property to the State of North Carolina for use as a correctional facility, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Jordan, the rules are suspended, and the proposed Senate Committee Substitute bill 5248, which changes the title, upon concurrence, to read **H.B. 1372** (Senate Committee Substitute), a bill to confirm that Stanly County may purchase and convey property to the State of North Carolina for use as a correctional facility and to delay the effective date of the law requiring the register of deeds to comply with minimum indexing standards for land records management in Brunswick County, is placed before the Senate for immediate consideration.

On motion of Senator Jordan, the Senate Committee Substitute bill is adopted.

With unanimous consent, the Senate Committee Substitute bill is placed on the Calendar for tomorrow, June 20, for further consideration.

H.B. 1135, a bill to repeal the statute which named "New Road" in Craven County, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Jordan, the proposed Senate Committee Substitute bill A249, which changes the title, upon concurrence, to read **H.B. 1135** (Senate

Committee Substitute), a bill to repeal the statute that named "New Road" in Craven County, to authorize Craven County to levy an additional room occupancy tax, and to revise the existing Craven County room occupancy tax, is placed before the Senate for immediate consideration.

On motion of Senator Jordan, the Senate Committee Substitute bill is adopted, and on his further motion is re–referred to the **Finance Committee.**

H.B. 1270, a bill to prohibit hunting from the right–of–way of Powell Road in Craven County, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Jordan, the rules are suspended, and the proposed Senate Committee Substitute bill A248, which changes the title, upon concurrence, to read **H.B. 1270** (Senate Committee Substitute), a bill to prohibit hunting from the right–of–way of Powell Road in Craven County and to prohibit hunting from the right–of–way of public roads in Northampton County, is placed before the Senate for immediate consideration.

On motion of Senator Jordan, the Senate Committee Substitute bill is adopted.

With unanimous consent, the Senate Committee Substitute bill is placed on the Calendar for tomorrow, June 20, for further consideration.

CALENDAR (*Continued*)

S.B. 1296 (Committee Substitute), a bill to extend the regular period of post–release supervision from six to nine months, to extend the period of post–release supervision to five years for sex offenders and to provide for special conditions of post–release supervision for sex offenders and persons convicted of offenses involving physical, mental, or sexual abuse of minors.

Senator Ballantine offers Amendment No. 1.

Senator Odom rises to a point of order under Rule 57.1 as to the germaneness of Amendment No. 1 offered by Senator Ballantine. The Chair rules Amendment No. 1 not germane to the original subject matter of the Committee Substitute bill, and displaces the Amendment.

The Committee Substitute bill passes its second (46–0) and third (47–0) readings.

Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.

The Committee Substitute bill is ordered sent to the House of Representatives by special messenger.

S.B. 1297 (Committee Substitute), a bill to provide for mandatory conditions of probation for sex offenders and persons convicted of offenses involving physical, mental, or sexual abuse of children.

The Committee Substitute bill passes its second reading (47–2).

Senator Odom objects to the third reading of the measure. Pursuant to Rule 50, the Chair orders the measure placed on the Calendar for tomorrow, June 20, for further consideration upon third reading.

H.B. 233 (Senate Committee Substitute), a bill to transfer Moore County to Judicial and Prosecutorial Districts 19B, on today's Calendar.

With unanimous consent, the Senate Committee Substitute bill is taken up out of its regular order of business.

Senator Conder offers Amendment No. 1 which is adopted (46–2).

The Senate Committee Substitute bill, as amended, passes its second reading (43–4).

Senator Hobbs objects to the third reading of the measure. Pursuant to Rule 50 the Chair orders the Senate Committee Substitute bill, as amended, placed on the Calendar for tomorrow, Thursday, June 20, for further consideration upon third reading.

H.B. 1192, a bill to develop a proposal for a reserve fund to pay catastrophic losses as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues, carried forward as unfinished business from Thursday, June 13.

The bill passes its second (46–0) and third readings and is ordered enrolled.

H.B. 1193, a bill to provide for more effective financial supervision, rehabilitation, and liquidation procedures for continuing care retirement centers and to provide that continuing care agreements are subordinate to the cost of administration in liquidation as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues, carried forward as unfinished business from Thursday, June 13.

The bill passes its second (46–0) and third readings and is ordered enrolled.

H.B. 686 (Committee Substitute), a bill to make changes to the General Statutes pertaining to domestic violence, on today's Calendar.

With unanimous consent, the Committee Substitute bill is taken up out of its regular order of business.

On motion of Senator Cooper, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second (44–0) and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1 by special messenger.

H.B. 1200, a bill to revise the participation formula of the North Carolina Insurance Underwriting Association as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues, carried forward as unfinished business from Thursday, June 13.

Senator Soles offers Amendment No. 1 which is adopted (46–0).

The bill, as amended, passes its second (46–0) and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1 by special messenger.

S.B. 555, a bill to increase the maximum fees that the North Carolina State Board of Dental Examiners may access, to move fee authorizations from separate sections to a general fee section, to eliminate a fee that is not needed, and to update statutory language on board annual meetings, for concurrence in House Amendment No. 1, which changes the title, upon concurrence, to read **S.B. 555**, a bill to increase the maximum fees that the North Carolina State Board of Dental Examiners may assess, to move fee authorizations from separate sections to a general fee section, to eliminate a fee that is not needed, and to update statutory language on board annual meetings, upon second reading, carried forward as unfinished business from Thursday, June 13.

The Chair rules the bill, as amended by the House of Representatives, does not require a call of the roll.

The Senate concurs in House Amendment No. 1 (43–2) and the bill is ordered enrolled.

H.B. 1233 (Committee Substitute No. 2), a bill to enact the Overhead High–Voltage Line Safety Act as recommended by the Joint Legislative Utility Review Committee, placed earlier today on the Calendar for tomorrow, June 20, upon third reading.

Senator Shaw withdraws his objection to third reading. With unanimous consent, the Senate reconsiders and the Committee Substitute bill No. 2 is taken from the Calendar for June 20 and placed on today's Calendar for further consideration upon third reading.

A bill on the Calendar carried forward as unfinished business from Monday, June 17, is taken up and disposed of, as follows:

H.B. 1157 (Committee Substitute), a bill to codify and clarify the State Board of Elections' ruling concerning contributions to State campaigns by federal committees, carried forward as unfinished business from Monday, June 17.

On motion of Senator Gulley, Committee Amendment No. 1 is adopted.

The Committee Substitute bill, as amended, passes its second (43–1) and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1 by special messenger.

Bills on the Calendar carried forward as unfinished business from Tuesday, June 18, are taken up and disposed of, as follows:

H.B. 859 (Senate Committee Substitute), a bill to revise the Solid Waste Management Act of 1989 and related statutes, upon second reading.

The Chair rules the Senate Committee Substitute does not require a call of the roll.

Senator Ballantine offers Amendment No. 1 which is adopted (46–0).

The Senate Committee Substitute bill, as amended, passes its second (47–0) and third readings and is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill by special messenger.

S.B. 1301 (Committee Substitute), a bill to make various technical amendments to the General Statutes as recommended by the General Statutes Commission and to make other technical corrections to the General Statutes.

The Committee Substitute bill, passes its second (47–0) and third readings and is ordered sent to the House of Representatives by special messenger.

S.B. 1343, a bill to specify that one member of the Environmental Management Commission shall have employment experience in industrial air and water pollution control at an industrial manufacturing facility, as recommended by the Environmental Management Commission.

On motion of Senator Albertson, Committee Amendment No. 1 is adopted, changing the title to read **S.B. 1343**, a bill to specify that one member of the Environmental Management Commission shall have employment experience in

industrial air and water pollution control at an industrial manufacturing facility, as recommended by the Environmental Review Commission.

The bill, as amended, passes its second (45–1) and third readings and is ordered engrossed and sent to the House of Representatives by special messenger.

S.B. 126 (House Committee Substitute), a bill to create the Long–Term Care Subcommittee and to provide for the creation of other subcommittees of the North Carolina Study Commission on Aging and to make changes to the long–term care law, for concurrence in the House Committee Substitute bill.

The Senate concurs in the House Committee Substitute bill (47–0) and the measure is ordered enrolled.

S.B. 687 (Committee Substitute), a bill to provide for improvement permits for sewage disposal systems, for concurrence in the House Committee Substitute bill No. 2, which changes the title, upon concurrence, to read **S.B. 687** (House Committee Substitute No. 2), a bill to provide for improvement permits for a wastewater system that are valid for five years in addition to the improvement permits that are valid without expiration under current law.

The Senate concurs in the House Committee Substitute bill No. 2 (47–0) and the measure is ordered enrolled.

H.B. 233 (Senate Committee Substitute), a bill to transfer Moore County to Judicial and Prosecutorial Districts 19B, as amended, placed earlier today on the Calendar for Thursday, June 20, upon third reading.

With unanimous consent, Senator Hobbs withdraws his objection to third reading. The Senate reconsiders and the Senate Committee Substitute bill, as amended, is taken from the Calendar for June 20, and placed before the Senate for further consideration upon third reading.

The Chair declares the voting equipment inoperative.

The Senate Committee Substitute bill, as amended, passes its third reading.

Senator Hobbs requests to be recorded voting "no."

The Senate Committee Substitute bill, as amended, is ordered sent to the House of Representatives, without engrossment, for concurrence in the Senate Committee Substitute bill, by special messenger.

H.B. 1233 (Committee Substitute No. 2), a bill to enact the Overhead High–Voltage Line Safety Act as recommended by the Joint Legislative Utility Review Committee, earlier placed on today's Calendar, upon third reading.

With unanimous consent, on motion of Senator Rand, the Committee Substitute bill No. 2 is taken up out of its regular order of business.

The Committee Substitute bill No. 2 passes its third reading and is ordered enrolled.

COMMITTEE REFERRAL RECALL

H.B. 1203 (Committee Substitute), a bill to allow the appointment in certain circumstances of precinct officials and ballot counters for a precinct who are not registered to vote in that precinct referred to the **Judiciary II/Election Laws Committee** on June 11.

Pursuant to Rule 47(b), Senator Gulley offers a motion the Committee Substitute bill be taken from the **Judiciary II/Election Laws Committee** and placed at the end

of today's Calendar which motions prevail with unanimous consent.

The Chair orders the Committee Substitute bill recalled from the **Judiciary II/ Election Laws Committee** and places it at the end of today's Calendar, for consideration upon its passage.

H.B. 1159, a bill to repeal the sunset on designation of Employment Security Commission offices as voter registration agencies and to provide for funding, referred to the **Judiciary II/Election Laws Committee** on June 6.

Pursuant to Rule 47(b), Senator Gulley offers a motion the bill be taken from the **Judiciary II/Election Laws Committee** and placed at the end of today's Calendar which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Judiciary II/Election Laws Committee** and places it at the end of today's Calendar, for consideration upon its passage.

CALENDAR *(Continued)*

S.B. 1260, a bill to raise the foreclosure filing fees, on today's Calendar.

With unanimous consent, the bill is taken up out of its regular order of business.

The bill passes its second and third readings and is ordered, sent to the House of Representatives by special messenger.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides.

H.B. 1075 (Committee Substitute), a bill to remove the expiration date on the Endorsement to Sell Program set forth in Chapter 515 of the 1993 Session Laws, on today's Calendar, upon third reading.

With unanimous consent, on motion of Senator Perdue, the Committee Substitute bill is taken up out of its regular order of business.

The Committee Substitute bill passes its third reading (43–0) and is ordered enrolled.

The Senate recesses at 4:50 P.M. for the purpose of committee meetings to reconvene at 5:05 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

REPORTS OF COMMITTEES

Standing committee reports are submitted out of the regular order of business, bills are read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Albertson for the **Agriculture/Environment/Natural Resources Committee:**

H.B. 934, a bill to make clarifying, conforming, and technical changes to various laws relating to environment, health, and natural resources and related laws, with

an unfavorable report as to bill, favorable as to Senate Committee Substitute bill.

On motion of Senator Albertson, the rules are suspended, and the proposed Senate Committee Substitute bill 6252 is placed before the Senate for immediate consideration, and on his further motion is adopted.

With unanimous consent, the Senate Committee Substitute bill is placed on the Calendar for tomorrow, June 20, for further consideration.

Upon the appearance of Senator Little in the Chamber, the Chair acknowledges her presence and the leave of absence granted previously is withdrawn.

By Senator Kerr for the **Finance Committee**:

H.B. 1135 (Senate Committee Substitute), a bill to repeal the statute which named "New Road" in Craven County, to authorize Craven County to levy an additional room occupancy tax, and to revise the existing Craven County room occupancy tax, as written by the **Local Government and Regional Affairs Committee**, with a favorable report.

By Senator Sherron for the **Finance Committee**:

H.B. 1122, a bill to allow Swain County to employ attachment or garnishment and to obtain a lien for ambulance services, with a favorable report.

Pursuant to Rule 43, the bill is re–referred to the **Appropriations Committee**.

S.B. 192, a bill to amend the tax law, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Sherron, the rules are suspended, and the proposed Committee Substitute bill 4715, which changes the title to read **S.B. 192** (Committee Substitute), a bill to exempt from sales and use tax vitamins and nutritional supplements dispensed by chiropractic physicians, is placed before the Senate for immediate consideration.

On motion of Senator Sherron, the Committee Substitute bill is adopted.

With unanimous consent, the Committee Substitute bill is placed on the Calendar for tomorrow, June 20, for further consideration.

H.B. 995 (Committee Substitute), a bill to stimulate a substantial increase in venture capital investments in North Carolina by allowing an insurance premiums tax credit for these investments, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Sherron, the rules are suspended, and the proposed Senate Committee Substitute bill 5253 is placed before the Senate for immediate consideration, and on his further motion is adopted.

With unanimous consent, the Senate Committee Substitute bill is placed on the Calendar for tomorrow, June 20, for further consideration.

S.B. 980, a bill to exempt nonprofit continuing care facilities from property taxes, with a favorable report.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

A special message received from the House of Representatives transmitting a bill for concurrence is presented to the Senate, read, and disposed of, as follows:

S.B. 1201 (House Committee Substitute), a bill to permit the Lumberton Firemen's Supplementary Pension Fund to increase the monthly benefits to its members, for concurrence in the House Committee Substitute bill.
Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

Special messages received from the House of Representatives are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 1141, a bill to allow the Division of Motor Vehicles to use different color borders to distinguish the age of license holders, thereby making it easier to issue duplicate licenses by mail when the photograph on the original license is a digitized image.
Referred to **Transportation Committee.**

H.B. 1115, a bill to incorporate the Village of Sloop Point in Pender County.
Referred to **Local Government and Regional Affairs Committee.**

H.B. 1132 (Committee Substitute), a bill requiring the payment of delinquent taxes in Currituck County before the issuance by the County of subdivision approval.
Referred to **Local Government and Regional Affairs Committee.**

H.B. 1145, a bill extending rights to petition for voluntary noncontiguous annexation into the City of Henderson.
Referred to **Local Government and Regional Affairs Committee.**

H.B. 1211 (Committee Substitute), a bill to revise and consolidate the Charter of the Town of Kill Devil Hills.
Referred to **Local Government and Regional Affairs Committee.**

H.B. 1306, a bill to remove certain described property from the corporate limits of the Town of Spruce Pine.
Referred to **Local Government and Regional Affairs Committee.**

H.B. 1309 (Committee Substitute), a bill to add Avery County to those counties making it unlawful to remove or destroy electronic collars on dogs.
Referred to **Local Government and Regional Affairs Committee.**

H.B. 1314 (Committee Substitute), a bill to allow Halifax, Nash, and Wilson Counties to acquire and otherwise make available property for use by the Board of Trustees of a Community College within the county.
Referred to **Local Government and Regional Affairs Committee.**

H.B. 1366, a bill to revise and consolidate the Charter of the City of Washington.
Referred to **Local Government and Regional Affairs Committee.**

H.B. 1370 (Committee Substitute), a bill to redefine the corporate limits of the Town of Summerfield.
Referred to **Local Government and Regional Affairs Committee.**

H.B. 1375 (Committee Substitute), a bill to modify the manner of election of the Whiteville City Board of Education.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1379, a bill to ratify an agreement between the Iredell–Statesville Schools Board of Education and the Mooresville Graded School District Board of Education.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1412, a bill to incorporate the Town of Peletier.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1413, a bill to allow Mecklenburg County to acquire property for a magnet technical high school for use by its County Board of Education.

Referred to **Finance Committee**.

H.B. 1144 (Committee Substitute), a bill to create the Butner Advisory Council and to enumerate its duties.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1313, a bill to allow Wilson County to acquire property for use by the County Board of Education.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1234 (Committee Substitute), a bill to allow Martin, Person, and Vance Counties to acquire property for use by the County Board of Education.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1205, a bill to allow the County of Dare to acquire property for use by the County Board of Education.

Referred to **Local Government and Regional Affairs Committee**.

H.B. 1179, a bill regarding the jurisdiction of the Utilities Commission with regard to the resale of water or sewer service in apartments, condominiums, and similar places as recommended by the Joint Legislative Utility Review Committee.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

H.B. 1182, a bill to delete the unnecessary "L" endorsement for a commercial drivers license.

Referred to **Transportation Committee**.

H.B. 1324 (Committee Substitute), a bill to extend the regular period of post–release supervision from six to nine months, to extend the period of post–release supervision to five years for sex offenders and to provide for special conditions of post–release supervision for sex offenders and persons convicted of offenses involving physical, mental, or sexual abuse of minors.

Pursuant to Rule 43, the Chair orders the Committee Substitute bill held in the office of the Principal Clerk pending referral to committee.

With unanimous consent, the President grants a leave of absence for the remainder of today's session to Senator McKoy.

H.B. 1289, a bill to enable the County of Lincoln and the City of Lincolnton to establish an airport authority for the maintenance of airport facilities in the County.

Referred to **Finance Committee**.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special messages are received from the House of Representatives:

H.B. 910 House of Representatives
(Senate Committee Substitute) June 19, 1996

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House failed to concur in Senate Committee Substitute for **HB 910**, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE USE OF CERTAIN SAFETY EQUIPMENT BY CHILDREN WHEN THEY ARE BICYCLE OPERATORS OR PASSENGERS, the Speaker has appointed as conferees on the part of the House,

Representative G. Robinson, Chair
Representative Brawley
Representative McAllister, and
Representative Mitchell

to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
S/Denise Weeks
Principal Clerk

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

S.B. 1173 House of Representatives
(Committee Substitute) June 19, 1996

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Amendment # 1 to Committee Substitute for **SB 1173**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION OF VARIOUS COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, the Speaker has appointed as conferees on the part of the House,

Representative Buchanan, Chair
Representative R. Hunter
Representative Nichols
Representative Wood, and
Representative Baker

to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
S/Denise G. Weeks
Principal Clerk

With bills remaining on the Calendar, on motion of Senator Shaw, seconded by Senator Odom, the Senate adjourns at 5:55 P.M. to meet tomorrow, Thursday, June 20, at 1:30 P.M.

ONE HUNDRED THIRTY-THIRD DAY

SENATE CHAMBER
Thursday, June 20, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, quoting *The Courage to Love* by William Sloane Coffin, as follows:

"Heavenly Father, for the times that we find ourselves in the midst of heated battle, Your Words from Holy Scripture encourage us, 'Fear not for I am with You!'

"Forgive us when we live our lives preoccupied by worry and fear; fear of what might happen; fear of losing; fear of retribution.

Very often fear distorts truth, not so much by exaggerating the ills of this world—but by underestimating our ability to deal with them.

While fear seeks safety, love seeks the truth.

"Today, help the men and women of the Senate to live boldly with conviction, seeking the truth through love. For Your Sake, Amen."

With unanimous consent, the President grants leave of absence for today to Senator Smith who is attending the Southern Regional Education Board's Annual Meeting in Atlanta.

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Wednesday, June 19, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. R.V. Liles from Albemarle, who is serving the Senate as Doctor of the Day.

RECALL FROM THE HOUSE OF REPRESENTATIVES

S.B. 1297 (Committee Substitute), a bill to provide for mandatory conditions of probation for sex offenders and persons convicted of offenses involving physical,

mental, or sexual abuse of children, having passed its second reading and ordered, in error, sent to the House of Representatives by special messenger on June 19.

The Chair orders a message sent to the House of Representatives respectfully recalling the Committee Substitute bill for further consideration upon its constitutionally mandated third reading.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

S.B. 1176, an act to modify the requirements for making street assessments in Foxfire Village under certain circumstances. (Ch. 574)

H.B. 361 (Senate Committee Substitute), an act to amend the Section 108 Loan Guarantee Program laws and the laws governing industrial revenue bonds. (Ch. 575)

H.B. 1112, an act to authorize the Town of Maxton to convey certain property at private sale to the Historic Preservation Foundation of North Carolina, Inc., a nonprofit corporation. (Ch. 576)

H.B. 1130, an act to authorize the Counties of Camden, Chowan, Currituck, Pasquotank, Perquimans, Tyrrell, and Washington to take a lien on real property for delinquent fees for certain inspections. (Ch. 577)

H.B. 1177 (Committee Substitute), an act to allow the merger of the Town of Battleboro into the City of Rocky Mount. (Ch. 578)

H.B. 1192, an act to develop a proposal for a reserve fund to pay catastrophic losses as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues. (Ch. 579)

S.B. 1190, an act to extend the extraterritorial planning jurisdiction of the Town of Wallace. (Ch. 580)

S.B. 1412, an act to reinstate the "no wake zone" within one hundred fifty yards of Seafood World in Topsail Sound and to repeal the prohibition on "no wake zones" in Pender County. (Ch. 581)

H.B. 1193, an act to provide for more effective financial supervision, rehabilitation, and liquidation procedures for continuing care retirement centers and to provide that continuing care agreements are subordinate to the cost of administration in liquidation as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues. (Ch. 582)

S.B. 126 (House Committee Substitute), an act to create the Long–Term Care Subcommittee and to provide for the creation of other subcommittees of the North Carolina Study Commission on Aging and to make changes to the long–term care law. (Ch. 583)

S.B. 555, an act to increase the maximum fees that the North Carolina State Board of Dental Examiners may assess, to move fee authorizations from separate sections to a general fee section, to eliminate a fee that is not needed, and to update statutory language on board annual meetings. (Ch. 584)

S.B. 687 (House Committee Substitute No. 2), an act to provide for improvement permits for a wastewater system that are valid for five years in addition to the improvement permits that are valid without expiration under current law. (Ch. 585)

H.B. 1075 (Committee Substitute), an act to remove the expiration date on the Endorsement to Sell Program set forth in Chapter 515 of the 1993 Session Laws. (Ch. 586)

H.B. 1233 (Committee Substitute No. 2), an act to enact the Overhead High-Voltage Line Safety Act as recommended by the Joint Legislative Utility Review Committee. (Ch. 587)

S.B. 1487, an act to provide that marriages recognized outside of this State between persons of the same gender are not valid. (Ch. 588)

S.J.R. 1485, a joint resolution honoring the memory of James Gordon Hanes, Jr., former State Senator and industrialist. (Res. 21)

S.J.R. 1486, a joint resolution authorizing the 1995 General Assembly, 1996 Session, to consider a joint resolution honoring the life and memory of Governor John Motley Morehead on the Two Hundredth Anniversary of his birth. (Res. 22)

REPORTS OF COMMITTEES

With unanimous consent on motion of Senator Rand, the rules are suspended to the end all bills and resolutions reported from committees are placed on a Supplemental Calendar for today in the order in which they are reported.

Bills are reported from standing committees, read by their titles, together with the reports accompanying them, and take their place on the Supplemental Calendar for today, as follows:

By Senator Cooper for the **Judiciary I/Constitution Committee**:

H.B. 1280 (Committee Substitute), a bill to recodify the statute establishing liens on insurance proceeds to secure child support and to provide that such liens are subordinate to liens arising under Article 9 of Chapter 44 of the General Statutes and to other health care provider claims, with a favorable report.

By Senator Jordan for the **Local Government and Regional Affairs Committee**:

H.B. 1144 (Committee Substitute), a bill to create the Butner Advisory Council and to enumerate its duties, with a favorable report.

H.B. 1328, a bill to abolish the Sanford Golf Commission, with a favorable report.

H.B. 1388, a bill to amend the law regarding the City of Wilson Firemen's Supplemental Retirement Fund, with a favorable report.

H.B. 1417, a bill relating to disclosure of business interest in Guilford County, with a favorable report, as amended.

COMMITTEE REFERRAL RECALL

H.B. 1421, a bill to provide for the election of the Board of Education of the Mount Airy City School Administrative Unit, referred to the **Local Government and Regional Affairs Committee** on June 12.

Pursuant to Rule 47(b), Senator Jordan offers a motion the bill be taken from the **Local Government and Regional Affairs Committee** and placed on the Supplemental Calendar for today, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Local Government and Regional Affairs Committee** and places it on the Supplemental Calendar for today, for consideration upon its passage.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages received in the office of the Principal Clerk from the House of Representatives transmitting bills for concurrence are presented to the Senate, read and disposed of, as follows:

S.B. 296 (House Committee Substitute), a bill to provide that the laws relating to motor vehicles apply within the Lake Royale Community in Franklin and Nash Counties, subject to a finding by a majority of the freeholders in the Lake Royale Community, for concurrence in the House Committee Substitute bill, which is placed on the Calendar for tomorrow, June 21.

S.B. 1139 (Committee Substitute), a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to implement the State Board of Education's ABC's Plan in order to establish an accountability model for the public schools to improve student performance and increase local flexibility and control, to make conforming changes, and to make an appropriation, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read **S.B. 1139** (House Committee Substitute), a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to implement the State Board of Education's ABC's Plan in order to establish an accountability model for the public schools to improve student performance and increase local flexibility and control, to make conforming changes, and to authorize the State Board of Education to expend funds for performance awards.

On motion of Senator Winner, the rules are suspended without objection, and the House Committee Substitute bill is placed before the Senate for immediate consideration.

The Senate fails to concur in the House Committee Substitute bill (19–28).

Special messages received in the office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of as follows:

H.B. 1194 (Committee Substitute), a bill to amend the Medicare supplement insurance laws to comply with the federal social security amendments of 1994 as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

Referred to **Pensions and Retirement/Insurance/State Personnel Committee.**

H.B. 1207 (Committee Substitute), a bill to clarify the maximum period of time a juvenile may be committed in accordance with the Structured Sentencing Act as recommended by the Sentencing and Policy Advisory Commission and to amend the procedure for court–ordered treatment of a juvenile to require the county to arrange for treatment of the juvenile when the parent cannot afford to pay the cost.

Pursuant to Rule 43, the Committee Substitute bill is ordered held in the office of the Principal Clerk pending referral to committee.

H.B. 1242 (Committee Substitute), a bill to clarify the sales tax treatment of items given away by merchants.

Referred to **Finance Committee.**

H.B. 1272, a bill to remove certain described property from the corporate limits of the City of Statesville.

Referred to **Local Government and Regional Affairs Committee.**

H.B. 1436 (Committee Substitute), a bill to appoint persons to public office upon the recommendation of the Speaker of the House of Representatives.

Referred to **Rules and Operation of the Senate Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 1256

House of Representatives
June 19, 1996

Mr. President:

It is ordered that a message be sent to your Honorable Body with the information that the House failed to concur in Senate Amendment # 1 for **HB 1256**, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE GOVERNING BOARD OF THE TOWN OF SPRUCE PINE, AND CONCERNING THE VOTING POWER OF THE MAYOR, the Speaker has appointed as conferees on the part of the House,

Representative Thompson
Representative Buchanan, and
Representative Crawford

to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
S/Denise G. Weeks
Principal Clerk

Senator Kincaid offers a motion that the Senate do appoint conferees, which motion prevails.

The President *Pro Tempore* takes the appointment of conferees under advisement.

REPORTS OF COMMITTEES

A standing committee reports is submitted out of the regular order of business, bills are read by their titles, together with the reports accompanying them, and take their place on the Supplemental Calendar for today, as follows:

By Senator Speed for the **Transportation Committee**:

S.B. 1273, a bill to implement the recommendations of the performance audit of the Division of Motor Vehicles of the Department of Transportation, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Speed, the rules are suspended, and the proposed Committee Substitute bill 2750, which changes the title to read **S.B. 1273** (Committee Substitute), a bill to implement the recommendation of the performance audit of the Division of Motor Vehicles of the Department of Transportation to eliminate the position of Commissioner of Motor Vehicles, is placed before the Senate for immediate consideration.

On motion of Senator Speed, the Committee Substitute bill is adopted and on his further motion the Committee Substitute bill is placed on the Supplemental Calendar for today, for further consideration.

S.B. 1298, a bill to change the civil penalties that may be assessed against certain license holders for emissions inspections based on whether the vehicle was intentionally improperly passed inspection and to change the provisions regarding the suspension or revocation of licenses to provide for notice and hearing, as recommended by the Environmental Review Commission, with an unfavorable report report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Speed, the rules are suspended, and the proposed Committee Substitute bill 5722, which changes the title to read **S.B. 1298** (Committee Substitute), a bill to amend the penalties that may be imposed for violations relating to motor vehicle emissions inspections based on whether the vehicle was intentionally improperly passed and to provide for notice and hearing prior to suspension or revocation, as recommended by the Environmental Review Commission, is placed before the Senate for immediate consideration.

On motion of Senator Speed, the Committee Substitute bill is adopted and on his further motion the Committee Substitute bill is placed on the supplemental Calendar for today, for further consideration.

CALENDAR

Bills on the Calendar carried forward as unfinished business from Wednesday, June 19, are taken up and disposed of as follows:

Pursuant to the motion of Senator Basnight, President Pro Tempore, prevailing on Tuesday, June 18, all measures ordered sent to the House of Representatives through adjournment of the Second Regular Session are sent by special messenger.

S.B. 1256 (Committee Substitute), a bill to enact the Overhead High–Voltage Line Safety Act as recommended by the Joint Legislative Utility Review Committee.

With unanimous consent, on motion of Senator Hoyle, the Committee Substitute bill is recommitted to the **Commerce Committee**.

RECALL FROM THE CLERK'S OFFICE

H.B. 1072, a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to change the name of Pembroke State University to the University of North Carolina at Pembroke, ordered held in the office of the Principal Clerk on Monday, May 20, pending referral to committee.

Senator Rand, Chairman of the **Rules and Operation of the Senate Committee**, offers a motion that Rule 43 be suspended to the end the bill be recalled from the office of the Principal Clerk and placed before the Senate for immediate consideration upon its passage, which motions prevail.

The Chair orders the bill recalled from the office of the Principal Clerk and places it before the Senate for immediate consideration upon its passage.

The bill passes its second (47–1) and third readings and is ordered enrolled.

APPOINTMENT OF CONFERENCE COMMITTEE

H.B. 1256, a bill to provide staggered terms for the governing board of the Town of Spruce Pine, and concerning the voting power of the Mayor, with the motion of Senator Kincaid the Senate do appoint conferees prevailing earlier today.

The President *Pro Tempore* appoints Senator Simpson, Chairman, and Senator Kincaid as conferees on the part of the Senate to resolve the differences arising between the two Bodies, and a message is ordered sent to the House of Representatives informing that the Honorable Body of such action.

CALENDAR *(Continued)*

H.B. 995 (Senate Committee Substitute), a bill to stimulate a substantial increase in venture capital investments in North Carolina by allowing an insurance premiums tax credit for these investments, on today's Calendar.

With unanimous consent, on motion of Senator Odom, the Senate Committee Substitute bill is taken up out of its regular order of business.

Senator Odom offers a further motion the Senate Committee Substitute bill be withdrawn from today's Calendar and re–referred to the **Appropriations Committee**, which motion he subsequently withdraws.

Senator Odom rises to a point of order pursuant to Rule 42(a). The Chair sustains the point of order and orders the Senate Committee Substitute bill re–referred to the **Appropriations Committee**.

S.B. 980, a bill to exempt nonprofit continuing care facilities from property taxes, on today's Calendar.

With unanimous consent, on motion of Senator Odom, the bill is taken up out of its regular order of business and pursuant to Rule 42(a) the bill is re–referred to the **Appropriations Committee**.

CALENDAR *(June 19 Unfinished Business Continued)*

S.B. 1292, a bill to clarify the maximum period of time a juvenile may be committed in accordance with the Structured Sentencing Act as recommended by the Sentencing and Policy Advisory Commission.

With unanimous consent, on motion of Senator Gulley, the Chair orders the bill temporarily displaced.

S.B. 1348 (Committee Substitute), a bill to create the Well Contractors Certification Commission, to require that well contractors be certified, and to make various amendments to the Well Construction Act, as recommended by the Environmental Review Commission.

With unanimous consent, on motion of Senator Odom, the Committee Substitute bill is recommitted to the **Agriculture/Environment/Natural Resources Committee**.

H.B. 207 (Committee Substitute), a bill to make it a felony offense to solicit a child by means of computer to commit an unlawful sex act.

On motion of Senator Gulley, Committee Amendment No. 1 is adopted.

On motion of Senator Gulley, the Chair orders the Committee Substitute bill, as amended, temporarily displaced.

H.B. 332 (Committee Substitute), a bill to clarify the Domiciliary and Nursing Home Penalty Assessment law.

The Committee Substitute bill passes its second (49–0) and third readings and is ordered enrolled.

H.B. 1077 (Committee Substitute), a bill recommended by the Joint Legislative Commission on Seafood and Aquaculture to allow employees on shellfish leases and franchises to work without possessing an individual shellfish license, changing the title, upon concurrence, to read **H.B. 1077** (Senate Committee Substitute), a bill to make various changes in the marine fisheries laws and to create a Scientific Advisory Council.

Senator Ballantine offers Amendment No. 1 which is adopted (48–0).

The Senate Committee Substitute bill, as amended, passes its second (49–0) and third readings and is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill by special messenger.

COMMITTEE REFERRAL RECALL

H.B. 1122, a bill to allow Swain County to employ attachment or garnishment and to obtain a lien for ambulance services, referred to the **Appropriations Committee** on June 19.

Pursuant to Rule 47(b), Senator Plyler offers a motion the bill be taken from the **Appropriations Committee** and placed on today's Supplemental Calendar which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Appropriations Committee** and places it on today's Supplemental Calendar, for consideration upon its passage.

CALENDAR (*June 19 Unfinished Business Continued*)

H.B. 1149 (Committee Substitute), a bill to change the requirements pertaining to licensed physician registration with the North Carolina Medical Board, changing the title, upon concurrence, to read **H.B. 1149** (Senate Committee Substitute), a bill to change the requirements pertaining to physician licensing and registration with the North Carolina Medical Board.

Senator Rand offers Amendment No. 1 which is adopted (49–0).

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides.

The Senate Committee Substitute bill, as amended, passes its second reading (47–0).

Senator McDaniel objects to the third reading of the measure. Pursuant to Rule 50, the Chair orders the measure placed on the Calendar for tomorrow, Friday, June 21, for further consideration upon third reading.

H.B. 1163 (Committee Substitute), a bill to provide liens on real property for the furnishing of rental equipment.

The Committee Substitute passes its second (47–0) and third readings and is ordered enrolled.

H.B. 1268 (Senate Committee Substitute), a bill to expedite disposal of unclaimed vehicles by towing and storage businesses.

On motion of Senator Gulley, the Chair orders, without objection, the Senate Committee Substitute bill temporarily displaced.

S.B. 1014 (Committee Substitute), a bill requiring criminal history record checks of unlicensed applicants for employment in nursing homes and domiciliary homes, for concurrence in the House Committee Substitute bill No. 2, which changes the title, upon concurrence, to read **S.B. 1014** (House Committee Substitute No. 2), a bill requiring criminal history record checks of unlicensed applicants for employment in nursing homes, adult care homes, and home care agencies, upon second reading.

The Chair rules the House Committee Substitute bill No. 2 does not require a call of the roll.

The Senate concurs in the House Committee Substitute bill No. 2 and the measure is ordered enrolled.

S.B. 125, a bill to remove the sunset on reverse mortgages, for concurrence in the House Committee Substitute bill No. 2, which changes the title, upon concurrence, to read **S.B. 125** (House Committee Substitute No. 2), a bill to allow cancellation by exhibition of a note secured by a deed of trust or mortgage regardless of the date of endorsement.

The Senate concurs in the House Committee Substitute bill No. 2 (48–0) and the measure is ordered enrolled.

S.B. 294 (House Committee Substitute No. 2), a bill to limit the issuance and renewal of barber certificates, permits, and licenses, to establish late fees for expired certificates, to make certain revisions to the law governing the Board of Barber Examiners and the sanitary rules, and to make conforming changes to the Cosmetic Art Act, for concurrence in the House Committee Substitute bill No. 2.

The Chair announces the voting equipment inoperative.

The Senate concurs in the House Committee Substitute bill No. 2 and the measure is ordered enrolled.

The Senate recesses at 3:17 P.M. for the purpose of committee meetings to reconvene at 3:27 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

REPORTS OF COMMITTEES

Standing committee reports are submitted out of the regular order of business, bills are read by their titles, together with the reports accompanying them, as follows:

Without objection, on motion of Senator Sherron, the rules are suspended to the end all bills upon the following report from the **Finance Committee** are placed at the end of today's Calendar.

By Senator Sherron for the **Finance Committee**:

H.B. 1102, a bill to implement the recommendation of the School Capital Construction Study Commission to direct the State Board of Education and the Local Government Commission to modify their accounting and reporting systems to allow tracking of local expenditures in schools' capital outlay funds, to direct the State Board of Education to develop a uniform system for schools to develop five–year capital needs plans, and to amend the School Budget and Fiscal Control Act, with a favorable report.

H.B. 1394, a bill to allow the Counties of Graham and Cherokee to acquire property for use by the County Board of Education, with a favorable report.

Pursuant to Rule 43, the bill is ordered re–referred to the **Appropriations Committee**.

H.B. 1413, a bill to allow Mecklenburg County to acquire property for a magnet technical high school for use by its County Board of Education, with a favorable report.

H.B. 779 (Committee Substitute), a bill to create the North Carolina Board of Employee Assistance Professionals and to provide for the licensing of employee assistance professionals, with a favorable report, as amended.

S.B. 1228, a bill to allow community penalties programs to obtain criminal record checks of targeted offenders, with a favorable report, as amended.

Pursuant to Rule 45.1, the bill is placed before the Senate for immediate consideration and Committee Amendment No. 1 is adopted.

The Chair orders the bill, as amended, engrossed and re–referred to the **Appropriations Committee**.

S.B. 1324, a bill to make changes in the Administrative Procedure Act, to make changes in various laws granting the power to adopt rules, and to clarify the requirements concerning certain removals of underground storage tanks, as recommended by the Administrative Procedure Oversight Committee, with an unfavorable report as to bill, but favorable report as to Committee Substitute bill.

On motion of Senator Sherron the rules are suspended, and the proposed Committee Substitute bill 1838 is placed before the Senate for immediate consideration, and on his further motion is adopted.

Pursuant to the motion of Senator Sherron prevailing earlier, the Committee Substitute bill is placed at the end of today's Calendar for further consideration.

By Senator Speed for the **Transportation Committee**:

H.B. 1141, a bill to allow the Division of Motor Vehicles to use different color borders to distinguish the age of license holders, thereby making it easier to issue duplicate licenses by mail when the photograph on the original license is a digitized image, with a favorable report, which is placed on the Supplemental Calendar.

H.B. 1172 (Committee Substitute), a bill to transfer the Rail Safety Section from the Utilities Commission to the Department of Transportation and to direct the Secretary of Transportation to study the need for continuation of the Rail Safety Inspection Program, with a favorable report, which is placed on the Supplemental Calendar.

H.B. 1182, a bill to delete the unnecessary "L" endorsement for a commercial drivers license, with a favorable report, which is placed on the Supplemental Calendar.

By Senator Cooper for the **Judiciary I/Constitution Committee**:

H.B. 879 (Committee Substitute), a bill to amend the State's gun laws by preempting local regulation, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Cooper, the rules are suspended, and the proposed Senate Committee Substitute bill 1395, which changes the title, upon concurrence, to read **H.B. 879** (Senate Committee Substitute), a bill to amend the State's gun laws to establish statewide uniform regulation, is placed before the Senate for immediate consideration.

On motion of Senator Cooper, the Senate Committee Substitute bill is adopted.

With unanimous consent, the Senate Committee Substitute bill is placed on today's Supplemental Calendar.

RECALL FROM THE CLERK'S OFFICE

S.B. 1479, a bill to strengthen the controlled substances laws, ordered held in the office of the Principal Clerk on June 3 pending referral to Committee.

Senator Cooper offers a motion Rule 43 be suspended to the end the bill be recalled from the office of the Principal Clerk and placed on today's Supplemental Calendar which motions prevail with unanimous consent.

The Chair orders the bill recalled from the office of the Principal Clerk and places it on the Supplemental Calendar for consideration upon its passage.

COMMITTEE REFERRAL RECALL

S.B. 1093, a bill to repeal the defense of not guilty by reason of insanity and to establish the sentence of guilty but mentally ill, referred to the **Judiciary I/ Constitution Committee** on May 4, 1995.

Pursuant to Rule 47(b), Senator Cooper offers a motion the bill be recalled from the **Judiciary I/ Constitution Committee** and placed on today's Supplemental Calendar which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Judiciary I/Constitution Committee** and places it on today's Supplemental Calendar, for consideration upon its passage.

S.B. 1257, a bill to make conforming changes to implement budget adjustments and allocations, referred to the **Judiciary II/Election Laws Committee** on May 22.

Pursuant to Rule 47(b), Senator Gulley offers a motion the bill be recalled from the **Judiciary II/Election Laws Committee** and placed on today's Supplemental Calendar which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Judiciary II/Election Laws Committee** and places it on today's Supplemental Calendar, for consideration upon its passage.

S.B. 1229, a bill to increase the amount that may be in controversy in district and superior civil courts and to make corresponding changes to the Rules of Civil Procedure and nonbinding arbitration, referred to the **Judiciary II/Election Laws Committee** on May 21.

Pursuant to Rule 47(b), Senator Gulley offers a motion the bill be recalled from the **Judiciary II/Election Laws Committee** and placed on today's Supplemental Calendar which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Judiciary II/Election Laws Committee** and places it on today's Supplemental Calendar, for consideration upon its passage.

S.B. 1482, a bill to ban partial–birth abortions and to require a twenty–four–hour waiting period and the informed consent of a pregnant woman before abortion may be performed, to require physicians to inform women of medical risks, gestational age, the name of the physician performing the abortion, and certain other information, and to require certain printed materials and reports, referred to the **Judiciary II/Election Laws Committee** on June 3.

Pursuant to Rule 47(b), Senator Gulley offers a motion the bill be recalled from the **Judiciary II/Election Laws Committee** and placed on today's Supplemental Calendar which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Judiciary II/Election Laws Committee** and places it on today's Supplemental Calendar, for consideration upon its passage.

S.B. 1074, a bill to punish as a felony an assault committed with intent to kill or intent to inflict extremely serious injury and an assault inflicting extremely serious injury, referred to the **Judiciary II/Election Laws Committee** on May 4, 1995.

Pursuant to Rule 47(b), Senator Gulley offers a motion the bill be recalled from the **Judiciary II/Election Laws Committee** and placed on today's Supplemental Calendar which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Judiciary II/Election Laws Committee** and places it on today's Supplemental Calendar, for consideration upon its passage.

CALENDAR (*June 19 Unfinished Business Continued*)

S.B. 1257, a bill to make conforming changes to implement budget adjustments and allocations, placed earlier on the Supplemental Calendar for today.

With unanimous consent, on motion of Senator Odom, the bill is taken up out of its regular order of business.

Senator Odom rises to a point of order pursuant to Rule 42(a). The Chair sustains the point of order and re–refers the bill to the **Appropriations Committee**.

S.B. 1229, a bill to increase the amount that may be in controversy in district and superior civil courts and to make corresponding changes to the Rules of Civil Procedure and nonbinding arbitration, placed earlier on the Supplemental Calendar for today.

With unanimous consent, on motion of Senator Odom, the bill is taken up out of its regular order of business.

Senator Odom rises to a point of order pursuant to Rule 42(a). The Chair sustains the point of order and re-refers the bill to the **Appropriations Committee**.

S.B. 1482, a bill to ban partial-birth abortions and to require a twenty-four-hour waiting period and the informed consent of a pregnant woman before abortion may be performed, to require physicians to inform women of medical risks, gestational age, the name of the physician performing the abortion, and certain other information, and to require certain printed materials and reports, placed earlier on the Supplemental Calendar for today.

With unanimous consent, on motion of Senator Odom, the bill is taken up out of its regular order of business.

Senator Odom rises to a point of order pursuant to Rule 42(a). The Chair sustains the point of order and re-refers the bill to the **Appropriations Committee**.

S.B. 1074, a bill to punish as a felony an assault committed with intent to kill or intent to inflict extremely serious injury and an assault inflicting extremely serious injury, placed earlier on the Supplemental Calendar for today.

With unanimous consent, on motion of Senator Odom, the bill is taken up out of its regular order of business.

Senator Odom rises to a point of order pursuant to Rule 42(a). The Chair sustains the point of order and re-refers the bill to the **Appropriations Committee**.

S.B. 1479, a bill to strengthen the controlled substances laws, placed earlier on the Supplemental Calendar for today.

With unanimous consent, on motion of Senator Odom, the bill is taken up out of its regular order of business.

Senator Odom rises to a point of order pursuant to Rule 42(a). The Chair sustains the point of order and re-refers the bill to the **Appropriations Committee**.

S.B. 1093, a bill to repeal the defense of not guilty by reason of insanity and to establish the sentence of guilty but mentally ill, placed earlier on the Supplemental Calendar for today.

With unanimous consent, on motion of Senator Odom, the bill is taken up out of its regular order of business.

Senator Odom rises to a point of order pursuant to Rule 42(a). The Chair sustains the point of order and re-refers the bill to the **Appropriations Committee**.

H.B. 1149 (Committee Substitute), a bill to change the requirements pertaining to licensed physician registration with the North Carolina Medical Board, changing the title, upon concurrence, to read **H.B. 1149** (Senate Committee Substitute), a bill to change the requirements pertaining to physician licensing and registration with the North Carolina Medical Board, as amended, placed earlier today on the Calendar for June 21.

With unanimous consent, Senator McDaniel withdraws his objection to third

reading. The Senate reconsiders and the Senate Committee Substitute bill, as amended, is taken from the Calendar for June 21 and placed, on motion of Senator Rand, before the Senate for further consideration upon third reading.

REPORT OF COMMITTEE

A standing committee report is submitted out of the regular order of business, bills are read by their titles, together with the reports accompanying them, and take their place on the Supplemental Calendar for today, as follows:

By Senator Plexico for the **Education/Higher Education Committee**:

H.B. 1187, a bill to permit the local boards of education in certain counties to schedule longer school days so as to offset days lost due to inclement weather, with a favorable report, as amended.

H.B. 1208, a bill to permit the local boards of education in certain counties to schedule longer school days so as to offset days lost due to inclement weather, with a favorable report, as amended.

ENROLLED BILLS

The Enrolling Clerk reports the following bills properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

H.B. 233 (Senate Committee Substitute), an act to transfer Moore County to Judicial and Prosecutorial Districts 19B. (Ch. 589)

H.B. 540 (Senate Committee Substitute), an act to authorize the issuance of nine hundred fifty million dollars general obligation bonds of the State, subject to a vote of the qualified voters of the State, for the construction of highways and to amend the Highway Trust Fund. (Ch. 590)

H.B. 686 (Committee Substitute), an act to make changes to the General Statutes pertaining to domestic violence. (Ch. 591)

H.B. 1200, an act to revise the participation formula of the North Carolina Insurance Underwriting Association as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues. (Ch. 592)

H.B. 1157 (Committee Substitute), an act to codify and clarify the State Board of Elections' ruling concerning contributions to State campaigns by federal committees. (Ch. 593)

H.B. 859 (Senate Committee Substitute), an act to revise the Solid Waste Management Act of 1989 and related statutes. (Ch. 594)

S.B. 375, an act to enlarge the membership of the Stanly County Economic Development Commission. (Ch. 595)

S.B. 600, an act to provide staggered four–year terms for members of the Stanly County Board of Commissioners. (Ch. 596)

S.B. 725, an act to exempt Richmond County from certain restrictions relating to the sale of hospital facilities to nonprofit corporations. (Ch. 597)

S.B. 1113, an act to change the date for the oath of office for members of the Richmond County Board of Education. (Ch. 598)

S.B. 1280, an act to permit one–stop voting on direct record voting equipment in Wilson County. (Ch. 599)

S.B. 1360, an act to confirm that Stanly County may purchase and convey property to the State of North Carolina for use as a correctional facility. (Ch. 600)

S.B. 1409, an act to establish the criminal offenses in Montgomery County of trespass on pine straw production land and larceny of pine straw. (Ch. 601)

CALENDAR (*Continued*)

H.B. 1149 (Committee Substitute), a bill to change the requirements pertaining to licensed physician registration with the North Carolina Medical Board, changing the title, upon concurrence, to read **H.B. 1149** (Senate Committee Substitute), a bill to change the requirements pertaining to physician licensing and registration with the North Carolina Medical Board, as amended, upon third reading.

Senator McDaniel offers Amendment No. 2 which is adopted (45–0).

The Senate Committee Substitute, as amended, passes its third reading (46–0).

The Senate Committee Substitute, as amended, is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill by special messenger.

REPORTS OF COMMITTEES

Standing committee reports are submitted out of the regular order of business, bills are read by their titles, together with the reports accompanying them, and take their place on the Supplemental Calendar, as follows:

By Senator Gulley for the **Judiciary II/Election Laws Committee**:

H.B. 1162 (Committee Substitute), a bill to prohibit the use of ineligible voter's testimony about how the vote was cast; to give the person protesting the election the right to call for a new election when the number of ineligible voters exceeds the margin of victory; and to make related changes, with a favorable report.

S.B. 1336, a bill to provide that it is a Class F felony to abduct a child from any person, agency, or institution lawfully entitled to the child's custody as recommended by the North Carolina Child Fatality Task Force, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Gulley, the rules are suspended, and the proposed Committee Substitute bill A789 is placed before the Senate for immediate consideration, and on his further motion is adopted.

With unanimous consent, the Committee Substitute bill is placed on today's Supplemental Calendar, for further consideration.

H.B. 1083, a bill to require first–class mail notice to all property owners in an area proposed for addition to a municipality's extraterritorial planning and zoning jurisdiction, proportional representation for residents of the ETJ on the planning agency, and a hearing before county appointment of representation to the planning agency, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Gulley, the rules are suspended, and the proposed Senate Committee Substitute bill A251, which changes the title, upon concurrence, to read **H.B. 1083** (Senate Committee Substitute), a bill to require first–class mail notice to all property owners in an area proposed for addition to a municipality's extraterritorial planning and zoning jurisdiction, proportional representation for residents of the ETJ on the planning agency, and a hearing before county appointment of representation to the planning agency, to prohibit a municipality from claiming for lost tax revenue during the pendency of an appeal of annexation and to amend the statute of limitations for appealing the validity of a zoning ordinance, is placed before the Senate for immediate consideration.

On motion of Senator Gulley, the Senate Committee Substitute bill is adopted.

With unanimous consent, the Senate Committee Substitute bill is placed on today's Supplemental Calendar, for further consideration.

APPOINTMENT OF CONFERENCE COMMITTEE

S.B. 1139 (Committee Substitute), a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to implement the State Board of Education's ABC's plan in order to establish an accountability model for the public schools to improve student performance and increase local flexibility and control, to make conforming changes, and to make an appropriation, which House Committee Substitute bill changes the title, upon concurrence, to read **S.B. 1139** (House Committee Substitute), a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to implement the State Board of Education's ABC's plan in order to establish an accountability model for the public schools to improve student performance and increase local flexibility and control, to make conforming changes, and to authorize the State Board of Education to expend funds for performance awards, with the Senate failing to concur earlier today.

Senator Basnight, President *Pro Tempore*, offers a motion that the Senate do appoint conferees, which motion prevails.

The President *Pro Tempore* appoints Senator Winner, Chairman, and Senators Plexico and Hartsell as conferees on the part of the Senate to resolve the differences arising between the two Bodies, and a message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

REPORTS OF COMMITTEES *(Continued)*

By Senator Jordan for the **Local Government and Regional Affairs Committee**:

H.B. 1115, a bill to incorporate the Village of Sloop Point in Pender County, with a favorable report.

On motion of Senator Jordan, the bill is re–referred to the **Finance Committee.**

H.B. 1132 (Committee Substitute), a bill requiring the payment of delinquent

taxes in Currituck County before the issuance by the County of subdivision approval, with a favorable report.

On motion of Senator Jordan, the Committee Substitute bill is re–referred to the **Finance Committee.**

H.B. 1145, a bill extending rights to petition for voluntary noncontiguous annexation into the City of Henderson, with a favorable report.

On motion of Senator Jordan, the bill is re–referred to the **Finance Committee.**

H.B. 1205, a bill to allow the County of Dare to acquire property for use by the County Board of Education, with a favorable report.

On motion of Senator Jordan, the bill is re–referred to the **Finance Committee.**

H.B. 1210, a bill clarifying the distribution of profits from the operation of the Dare County Alcoholic Beverage Control Board, with a favorable report.

H.B. 1211 (Committee Substitute), a bill to revise and consolidate the Charter of the Town of Kill Devil Hills, with a favorable report.

Senator Kerr, Co–Chairman of the **Finance Committee**, rises to a point of order pursuant to Rule 42(b). The Chair sustains the point of order and re–refers the Committee Substitute bill to the **Finance Committee.**

H.B. 1212, a bill to amend the Charter of the City of Greensboro with respect to settlement of claims, with a favorable report.

H.B. 1231, a bill to include the Counties of Alleghany, Surry, and Watauga among those Counties that require consent of the Board of County Commissioners before land may be condemned or acquired by a unit of local government outside the County, with a favorable report.

H.B. 1234 (Committee Substitute), a bill to allow Martin, Person, and Vance Counties to acquire property for use by the County Board of Education, with a favorable report.

On motion of Senator Jordan, the Committee Substitute bill is re–referred to the **Finance Committee.**

H.B. 1306, a bill to remove certain described property from the corporate limits of the Town of Spruce Pine, with a favorable report.

On motion of Senator Jordan, the bill is re–referred to the **Finance Committee.**

H.B. 1309 (Committee Substitute), a bill to add Avery County to those counties making it unlawful to remove or destroy electronic collars on dogs, with a favorable report.

H.B. 1313, a bill to allow Wilson County to acquire property for use by the County Board of Education, with a favorable report.

On motion of Senator Jordan, the bill is re–referred to the **Finance Committee.**

H.B. 1314 (Committee Substitute), a bill to allow Halifax, Nash, and Wilson Counties to acquire and otherwise make available property for use by the Board of Trustees of a Community College within the county, with a favorable report.

On motion of Senator Jordan, the Committee Substitute bill is re-referred to the **Finance Committee.**

H.B. 1342, a bill to provide that the Cumberland County Board of Commissioners must fill a vacancy with the person nominated by the appropriate political party if the nomination is made on a timely basis, with a favorable report.

H.B. 1347, a bill to allow the Cumberland County Board of Education to permit the use of public school buses to serve the transportation needs of the National Forensics League Tournament, with a favorable report.

H.B. 1357 (Committee Substitute), a bill to exempt the annexation of the Edenton Airport from the ceiling on satellite annexations by the Town of Edenton, with a favorable report.

On motion of Senator Jordan, the Committee Substitute bill is re-referred to the **Finance Committee.**

H.B. 1366, a bill to revise and consolidate the Charter of the City of Washington, with a favorable report.

Senator Kerr, Co-Chairman of the **Finance Committee**, rises to a point of order pursuant to Rule 42(b). The Chair sustains the point of order and re-refers the bill to the **Finance Committee.**

H.B. 1370 (Committee Substitute), a bill to redefine the corporate limits of the Town of Summerfield, with a favorable report.

On motion of Senator Jordan, the Committee Substitute bill is re-referred to the **Finance Committee.**

H.B. 1375 (Committee Substitute), a bill to modify the manner of election of the Whiteville City Board of Education, with a favorable report.

H.B. 1379, a bill to ratify an agreement between the Iredell-Statesville Schools Board of Education and the Mooresville Graded School District Board of Education, with a favorable report.

H.B. 1412, a bill to incorporate the Town of Peletier, with a favorable report.

On motion of Senator Jordan, the bill is re-referred to the **Finance Committee.**

COMMITTEE REFERRAL RECALL

H.B. 1166, a bill to modify the required disclosure statement and eliminate duplicative reporting requirements under the Charitable Solicitations Act and to modify and clarify requirements for nongovernmental entities' accountability for State grants, referred to the **Appropriations Committee** on June 19.

Pursuant to Rule 47(b), Senator Odom offers a motion the bill be recalled from the **Appropriations Committee** and placed on today's Supplemental Calendar, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Appropriations Committee** and places it on today's Supplemental Calendar for consideration upon its passage.

H.B. 1094, a bill to prohibit the imposition of a failure to pay penalty when additional tax due is paid at the time an amended return is filed or within thirty days after the additional tax was assessed, referred to the **Appropriations Committee** on June 18.

Pursuant to Rule 47(b), Senator Plyler offers a motion the bill be recalled from the **Appropriations Committee** and placed on today's Supplemental Calendar, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Appropriations Committee** and places it on today's Supplemental Calendar for consideration upon its passage.

CONFERENCE REPORT

S.B. 1173 (Committee Substitute)

Senator Plexico for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **S.B. 1173** (Committee Substitute), a bill to permit the local boards of education of various counties to schedule longer school days so as to offset days lost due to inclement weather, submits the following report, for adoption:

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 1173, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION OF VARIOUS COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, Third Edition engrossed 6/3/96, submit the following report:

The House recedes from House Amendment #1, adopted 6/13/96, and the House and Senate agree to the following amendment:

on page 1, lines 11–15, rewrite those lines to read as follows:

"Sec. 2. A local board of education may schedule longer school days under Section 1 of this act only after all extra calendar days required under G.S. 115C–84(c) have been scheduled to be used as instructional days."

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 20, 1996.

S/Leslie Winner
S/Clark Plexico
S/Virginia Foxx

Conferees for the Senate

S/Charles Buchanan
S/Robert C. Hunter
S/John Nichols
S/Steve Wood
S/Rex L. Baker

Conferees for the House of Representatives

On motion of Senator Plexico, the Conference Report is adopted (48–0) and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

CONFERENCE REPORT

H.B. 1256

Senator Kincaid for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 1256**, a bill to provide staggered terms for the governing board of the Town of Spruce Pine, and concerning the voting power of the Mayor, submits the following report, for adoption:

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1256, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE GOVERNING BOARD OF THE TOWN OF SPRUCE PINE, AND CONCERNING THE VOTING POWER OF THE MAYOR, (First Edition), submit the following report: The Senate recedes from Senate Amendment 1.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 19, 1996.

S/Donald R. Kincaid	S/Charles Buchanan
S/Dan Simpson	S/James W. Crawford, Jr.
	S/Gregory J. Thompson
Conferees for the Senate	*Conferees for the House of Representatives*

On motion of Senator Kincaid, the Conference Report is adopted (46–0), and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

INTRODUCTION

S.R. 1494, a Senate simple resolution expressing the will of the Senate to remain in Session and continue to work without a *per diem* expense allowance until a responsible budget agreement is reached, filed earlier today for introduction.

Senator Rand offers a motion Rule 40 be suspended to allow the introduction of the Senate simple resolution.

Senator Cochrane rises to a point of order under Resolution 15, Section 1, of the 1995 Session Laws as to the eligibility of the Senate simple resolution. The Chair rules the Senate simple resolution eligible in light of budget impact and fails to sustain the point of order.

Senator Cochrane rises to a point of order under Resolution 15, Section 1(6), of the 1995 Session Laws as to the requirement of a ratified enabling joint resolution.

The Chair rules introduction of a Senate simple resolution, the vehicle by which the Senate expresses its voice, does not require a ratified enabling resolution and fails to sustain the point of order.

Senator Cochrane calls for the "ayes" and "noes" on the motion offered by Senator Rand. The call is sustained.

Senator Cochrane rises to a point of order under Resolution 15, Section 1(1), of the 1995 Session Laws as to the eligibility of introduction of the Senate simple resolution after May 30. The Chair rules Resolution 15, Section 1(1) of the 1995 Session Laws addresses the introduction of bills not Senate simple resolutions and fails to sustain the point of order.

Failing to receive a two–thirds affirmative majority, the motion offered by Senator Rand to suspend the rules to allow the introduction of the Senate simple resolution today fails to prevail ayes 26, noes 23, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Basnight, Conder, Cooper, Dannelly, Edwards, Gulley, Hobbs, Hoyle, Jordan, Kerr, Lucas, Martin of Pitt, Martin of Guilford, Odom, Parnell, Perdue, Plexico, Plyler, Rand, Sherron, Soles, Speed, Warren, and Winner—26.

Voting in the negative: Senators Allran, Ballantine, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Davis, East, Forrester, Foxx, Hartsell, Horton, Kincaid, Ledbetter, Little, McDaniel, McKoy, Page, Shaw, Simpson, and Webster—23.

CALENDAR *(June 19 Unfinished Business Continued)*

H.B. 1268 (Senate Committee Substitute), a bill to expedite disposal of unclaimed vehicles by towing and storage businesses, temporarily displaced earlier.

The Senate Committee Substitute bill passes its second (46–0) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill by special messenger.

S.B. 1292, a bill to clarify the maximum period of time a juvenile may be committed in accordance with the Structured Sentencing Act as recommended by the Sentencing and Policy Advisory Commission, temporarily displaced earlier.

On motion of Senator Gulley, Committee Amendment No. 1 is adopted.

On motion of Senator Gulley, the Chair orders, without objection, the bill, as amended, temporarily displaced.

H.B. 207 (Committee Substitute), a bill to make it a felony offense to solicit a child by means of computer to commit an unlawful sex act, as amended, temporarily displaced earlier.

The Committee Substitute bill, as amended, passes its second (47–1) and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1, by special messenger.

RECALL FROM THE CLERK'S OFFICE

H.B. 1207 (Committee Substitute), a bill to clarify maximum period of time a juvenile may be committed in accordance with the Structured Sentencing Act as recommended by the Sentencing and Policy Advisory Commission and to amend the procedure for court–ordered treatment of a juvenile to require the county to arrange for treatment of the juvenile when the parent cannot afford to pay the

cost, received earlier today from the House of Representatives and ordered held in the office of the Principal Clerk pending referral to committee.

Senator Gulley offers a motion Rule 43 be suspended to the end the Committee Substitute bill be taken from the office of the Principal Clerk and placed before the Senate for immediate consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the Committee Substitute bill recalled from the office of the Principal Clerk and places it before the Senate for immediate consideration upon its passage.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides.

The Committee Substitute bill passes its second (47–0) and third readings and is ordered enrolled.

CALENDAR *(June 19 Unfinished Business Continued)*

H.B. 1159, a bill to repeal the sunset on designation of Employment Security Commission offices as voter registration agencies and to provide for funding.

The bill passes its second (36–10) and third readings and is ordered enrolled.

H.B. 1203 (Committee Substitute), a bill to allow the appointment in certain circumstances of precinct officials and ballot counters for a precinct who are not registered to vote in that precinct.

The Committee Substitute bill passes its second (45–1) and third readings and is ordered enrolled.

Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 1097, a bill to permit the City of Brevard to convey certain parcels of real property to former owners or adjoining owners with or without consideration, upon second reading.

The bill passes its second reading by roll–call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Simpson, Soles, Speed, Webster, and Winner—45.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Friday, June 21, for further consideration upon third reading.

H.B. 1400, a bill establishing the Harmon Field Board of Supervisors for administration of Harmon Field located in Polk County, upon second reading.

The bill passes its second reading by roll–call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Simpson, Soles, Speed, Webster, and Winner—45.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Friday, June 21, for further consideration upon third reading.

H.B. 1401, a bill amending the Charter of the City of Fayetteville regarding zoning hearings.

With unanimous consent, on motion of Senator Edwards, the bill is taken up out of its regular order of business and on his further motion, consideration of the bill is postponed until Friday, June 21.

H.B. 1131, a bill to permit extension of candidate filing for local offices in Pasquotank County when the County Board of Elections Office is closed on the last day for filing due to severe weather conditions.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1137, a bill to allow the Town of Fuquay–Varina to review any request for withdrawal of dedication of any street or street easement before any dedication can be withdrawn.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1156, a bill to allow the Town of Mooresville to donate unclaimed bicycles to charity.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1184, a bill relating to the duty of commissioners of the Washington Housing Authority under the provisions of Article 1 of Chapter 157 of the General Statutes.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1209, a bill to authorize the Cities of Brevard and Hendersonville to create squirrel sanctuaries for the preservation of the "Brevard White Squirrel."

The bill passes its second and third readings and is ordered enrolled.

H.B. 1215, a bill to authorize the Rockingham Board of Equalization and Review to meet after its formal adjournment.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1219, a bill to allow the County of Alamance and the cities located in that County to donate unclaimed bicycles to charity.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1254 (Committee Substitute), a bill to amend the Charter of the City of Havelock concerning the powers of the city manager.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H.B. 1270, a bill to prohibit hunting from the right–of–way of Powell Road in Craven County, which title changes, upon concurrence, to read **H.B. 1270** (Senate Committee Substitute), a bill to prohibit hunting from the right–of–way of Powell Road in Craven County and to prohibit hunting from the right–of–way of public roads in Northampton County.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill by special messenger.

H.B. 1279, a bill concerning the manner of selecting the Mayor *Pro Tempore* of the Town of Mount Holly.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1358, a bill to authorize the City of Burlington, North Carolina, to convey certain surplus property by private sale to Habitat for Humanity of Alamance County, N. C., Inc.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1371, a bill to exempt the County of Johnston from certain statutory requirements relating to the construction of an animal control facility.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1372, a bill to confirm that Stanly County may purchase and convey property to the State of North Carolina for use as a correctional facility, which title changes, upon concurrence, to read **H.B. 1372** (Senate Committee Substitute), a bill to confirm that Stanly County may purchase and convey property to the State of North Carolina for use as a correctional facility and to delay the effective date of the law requiring the register of deeds to comply with minimum indexing standards for land records management in Brunswick County.

The Senate Committee Substitute bill passes its second and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill by special messenger.

H.B. 1384, a bill to limit the height of structures in the Town of Calabash and to allow exceptions to the height limit upon approval by referendum.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1385, a bill to provide for a referendum in Brunswick County on the questions of changing the terms of office of the Brunswick County Board of Commissioners and the Brunswick County Board of Education from two years to four years.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1414, a bill relating to the Charlotte Civil Service Board.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1419, a bill to change the local alcohol beverage control board audits from quarterly to annual to conform to the General Statutes.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1080 (Committee Substitute), a bill to make fox hunting in Currituck County consistent with the regulations of the Wildlife Resources Commission by repealing the law authorizing fox hunting in certain portions of Currituck County at all times of the year.

On motion of Senator Jordan, Committee Amendment No. 1 is adopted (42–0).

The Committee Substitute bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1, by special messenger.

H.B. 1135, a bill to repeal the statute which named "New Road" in Craven County, which title changes, upon concurrence, to read **H.B. 1135** (Senate Committee Substitute), a bill to repeal the statute which named "New Road" in Craven County, to authorize Craven County to levy an additional room occupancy tax, and to revise the existing Craven County room occupancy tax.

The Chair rules the Senate Committee Substitute bill requires a call of the roll.

Senator Soles offers Amendment No. 1 which he subsequently withdraws.

The Senate Committee Substitute bill passes its second reading by roll–call vote, ayes 38, noes 2, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Basnight, Blackmon, Blust, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, Edwards, Forrester, Foxx, Gulley, Hartsell, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Shaw, Soles, Speed, and Winner—38.

Voting in the negative: Senators Allran and Carpenter—2.

The Senate Committee Substitute bill is ordered placed on the Calendar for tomorrow, Friday, June 21, for further consideration upon third reading.

H.B. 1376 (Committee Substitute), a bill to remove the bag limits on the trapping of raccoons in Beaufort, Craven, Hyde, Pamlico, and Pitt Counties.

Senator Perdue offers Amendment No. 1 which is adopted (46–0), changing the title, upon concurrence, to read **H.B. 1376** (Committee Substitute), a bill to remove the bag limits on the trapping of raccoons in Beaufort, Hyde, and Pamlico Counties.

The Committee Substitute bill, as amended, passes its second and third readings.

Senator Perdue requests to be recorded voting "no."

The Committee Substitute bill, as amended, is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1 by special messenger.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S.B. 1297
(Committee Substitute)

House of Representatives
June 20, 1996

Mr. President:

Pursuant to your request, we are returning Committee Substitute for **SB 1297**, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MANDATORY CONDITIONS OF PROBATION FOR SEX OFFENDERS AND PERSONS CONVICTED OF OFFENSES INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF CHILDREN, for further consideration by your Honorable Body.

Respectfully,
S/Denise Weeks
Principal Clerk

With unanimous consent, on motion of Senator Odom, the Committee Substitute bill is placed on today's Calendar, upon third reading.

CALENDAR *(Continued)*

H.B. 1395, a bill to allow for initiative, referendum, and recall in the Town of River Bend.

Senator Soles offers Amendment No. 1 which is adopted (46–0), changing the title, upon concurrence, to read **H.B. 1395**, a bill to allow for initiative, referendum, and recall in the Town of River Bend and to delay the effective date of the law requiring the register of deeds to comply with minimum indexing standards for land records management in Brunswick County.

The bill, as amended, passes its second (45–0) and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1 by special messenger.

Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.

The Senate recesses at 5:26 P.M. to reconvene at 5:41 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

With no further business considered and with bills remaining on the Calendar, on motion of Senator Basnight, seconded by Senator Cochrane, the Senate adjourns at 5:57 P.M. to meet tomorrow, Friday, June 21, at 1:00 P.M.

ONE HUNDRED THIRTY-FOURTH DAY

SENATE CHAMBER
Friday, June 21, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Almighty God, in an unofficial last will and testament sent as letter to his surrogate son, Timothy, the Apostle Paul wrote these famous words, 'I have fought the good fight, I have finished the race, I have kept the faith.'

"Though his words are often used as eulogy so that history might remember how one has lived, the greatest power in his statement comes as challenge when applied

in the present and future tenses. Because each of us must also judge ourselves by what we are doing now and will do!

"So give us strength to keep the faith, to keep fighting the good fight until we, too, finish the race. Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Smith who is attending the Southern Regional Education Board's Annual Meeting in Atlanta.

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Thursday, June 20, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and resolutions properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

H.B. 332 (Committee Substitute), an act to clarify the Domiciliary and Nursing Home Penalty Assessment law. (Ch. 602)

H.B. 1072, an act to implement the recommendation of the Joint Legislative Education Oversight Committee to change the name of Pembroke State University to the University of North Carolina at Pembroke. (Ch. 603)

S.B. 125 (House Committee Substitute No. 2), an act to allow cancellation by exhibition of a note secured by a deed of trust or mortgage regardless of the date of endorsement. (Ch. 604)

S.B. 294 (House Committee Substitute No. 2), an act to limit the issuance and renewal of barber certificates, permits, and licenses, to establish late fees for expired certificates, to make certain revisions to the law governing the Board of Barber Examiners and the sanitary rules, and to make conforming changes to the Cosmetic Art Act. (Ch. 605)

S.B. 1014 (House Committee Substitute No. 2), an act requiring criminal history record checks of unlicensed applicants for employment in nursing homes, adult care homes, and home care agencies. (Ch. 606)

H.B. 1163 (Committee Substitute), an act to provide liens on real property for the furnishing of rental equipment. (Ch. 607)

H.B. 1159, an act to repeal the sunset on designation of Employment Security Commission offices as voter registration agencies and to provide for funding. (Ch. 608)

H.B. 1207 (Committee Substitute), an act to clarify the maximum period of time a juvenile may be committed in accordance with the Structured Sentencing Act as recommended by the Sentencing and Policy Advisory Commission and to amend

the procedure for court–ordered treatment of a juvenile to require the county to arrange for treatment of the juvenile when the parent cannot afford to pay the cost. (Ch. 609)

H.B. 1358, an act to authorize the City of Burlington, North Carolina, to convey certain surplus property by private sale to Habitat for Humanity of Alamance County, N.C., Inc. (Ch. 610)

H.B. 1371, an act to exempt the County of Johnston from certain statutory requirements relating to the construction of an animal control facility. (Ch. 611)

H.B. 1131, an act to permit extension of candidate filing for local offices in Pasquotank County when the County Board of Elections Office is closed on the last day for filing due to severe weather conditions. (Ch. 612)

H.B. 1137, an act to allow the Town of Fuquay–Varina to review any request for withdrawal of dedication of any street or street easement before any dedication can be withdrawn. (Ch. 613)

H.B. 1156, an act to allow the Town of Mooresville to donate unclaimed bicycles to charity. (Ch. 614)

H.B. 1184, an act relating to the duty of commissioners of the Washington Housing Authority under the provisions of Article 1 of Chapter 157 of the General Statutes. (Ch. 615)

H.B. 1209, an act to authorize the Cities of Brevard and Hendersonville to create squirrel sanctuaries for the preservation of the "Brevard White Squirrel." (Ch. 616)

H.B. 1215, an act to authorize the Rockingham Board of Equalization and Review to meet after its formal adjournment. (Ch. 617)

H.B. 1219, an act to allow the County of Alamance and the cities located in that County to donate unclaimed bicycles to charity. (Ch. 618)

H.B. 1254 (Committee Substitute), an act to amend the Charter of the City of Havelock concerning the powers of the city manager. (Ch. 619)

H.B. 1279, an act concerning the manner of selecting the Mayor *Pro Tempore* of the Town of Mount Holly. (Ch. 620)

H.B. 1384, an act to limit the height of structures in the Town of Calabash and to allow exceptions to the height limit upon approval by referendum. (Ch. 621)

H.B. 1385, an act to provide for a referendum in Brunswick County on the questions of changing the terms of office of the Brunswick County Board of Commissioners and the Brunswick County Board of Education from two years to four years. (Ch. 622)

H.B. 1414, an act relating to the Charlotte Civil Service Board. (Ch. 623)

H.B. 1419, an act to change the local alcohol beverage control board audits from quarterly to annual to conform to the General Statutes. (Ch. 624)

S.B. 1161, an act to implement the recommendation of the Joint Legislative Education Oversight Committee to implement and monitor the plan for the transfer of credits between North Carolina institutions of higher education. (Ch. 625)

S.B. 1217 (Committee Substitute No. 2), an act to implement recommendations of the Blue Ribbon Study Commission on Agricultural Waste. (Ch. 626)

S.J.R. 1490, a joint resolution honoring John Carteret, Earl of Granville, for whom Granville County was named upon the occasion of the Two Hundred Fiftieth Anniversary of Granville County. (Res. 23)

S.J.R. 1491, a joint resolution authorizing the 1995 General Assembly, Regular Session 1996, to consider a joint resolution honoring the life and memory of Wesley Davis Webster, former member of the General Assembly. (Res. 24)

S.J.R. 1492, a joint resolution authorizing the 1995 General Assembly, Regular Session 1996, to consider a joint resolution honoring the life and memory of Charles Melvin Creecy, former member of the General Assembly. (Res. 25)

With unanimous consent, the President grants a leave of absence at 1:20 P.M. for a portion of today's Session to Senator Cochrane.

REPORTS OF COMMITTEES

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Jordan for the **Local Government and Regional Affairs Committee**:

H.B. 1272, a bill to remove certain described property from the corporate limits of the City of Statesville, with a favorable report.

On motion of Senator Jordan, the bill is re-referred to the **Finance Committee**.

Pursuant to Rule 47(b), Senator Kerr offers a motion the bill be taken from the **Finance Committee** and placed on today's Calendar in its regular order of business for consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Finance Committee** and places it on today's Calendar in its regular order of business for consideration upon its passage.

Pursuant to the motion prevailing on Tuesday, June 18, offered by Senator Basnight, President Pro Tempore, all measures ordered sent to the House of Representatives through adjournment of the Second Regular Session are sent by special messenger.

With unanimous consent, the President directs all bills and resolutions reported from committees or received on messages from the House of Representatives ordered placed on a Supplemental Calendar for today.

INTRODUCTION OF RESOLUTIONS

Resolutions filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Rand, Hoyle, Ballance, Warren, Basnight, Albertson, Winner, Odom, Hobbs, Little, Parnell, Edwards, Plyler, Plexico, Jordan, Soles, Martin of Pitt, Cooper, Kerr, Dannelly, Conder, Sherron, Speed, Lucas, Martin of Guilford, and Gulley:

S.B. 1494, a Senate simple resolution expressing the will of the Senate to remain in Session and continue to work without a *per diem* expense allowance until a responsible budget agreement is reached.

Referred to **Rules and Operation of the Senate Committee**.

By Senator Horton:

S.J.R. 1495, a joint resolution honoring the life and memory of Governor John Motley Morehead on the Two Hundredth Anniversary of his birth.

On motion of Senator Horton, Rule 43 is suspended and the joint resolution is placed before the Senate for immediate consideration upon its passage and on his further motion the joint resolution is read in its entirety. *(See Appendix)*

Upon the appearance of Senator Cochrane in the Chamber, the Chair acknowledges her presence and a leave of absence granted previously is withdrawn.

The joint resolution passes its second reading (45–0) and third reading unanimously with members standing, and is ordered sent to the House of Representatives by special messenger.

The Chair extends courtesies of the gallery to Robert Lindsay Morehead great–grandson of former Governor John Motley Morehead.

APPOINTMENT OF CONFERENCE COMMITTEE

H.B. 910 (Senate Committee Substitute), a bill to require the use of certain safety equipment by children when they are bicycle operators or passengers.

Pursuant to the message from the House of Representatives received Wednesday, June 19, requesting conferees, Senator Basnight, President *Pro Tempore* offers a motion that the Senate do appoint conferees, which motion prevails.

The President *Pro Tempore* appoints Senator Cooper, Chairman, and Senators Winner and Ballantine as conferees on the part of the Senate to act with a like committee from the House of Representatives to resolve the differences arising between the two Bodies. A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

REPORTS OF COMMITTEES

A standing committee report is submitted out of the regular order of business, bills are read by their titles, together with the reports accompanying them, and with unanimous consent on motion of Senator Sherron, take their place on a Supplemental Calendar for today, as follows:

By Senator Sherron for the **Finance Committee**:

S.B. 595, a bill to establish certification for persons performing lead abatement, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Sherron, the proposed Committee Substitute bill 7808 is placed before the Senate for immediate consideration, and on his further motion is adopted.

On motion of Senator Ballantine, the Committee Substitute bill is re–referred to the **Appropriations Committee**.

H.B. 1115, a bill to incorporate the Village of Sloop Point in Pender County, with a favorable report.

H.B. 1132 (Committee Substitute), a bill requiring the payment of delinquent taxes in Currituck County before the issuance by the County of subdivision approval, with a favorable report.

H.B. 1145, a bill extending rights to petition for voluntary noncontiguous annexation into the City of Henderson, with a favorable report.

H.B. 1205, a bill to allow the County of Dare to acquire property for use by the County Board of Education, with a favorable report.

H.B. 1211 (Committee Substitute), a bill to revise and consolidate the Charter of the Town of Kill Devil Hills, with a favorable report.

H.B. 1234 (Committee Substitute), a bill to allow Martin, Person, and Vance Counties to acquire property for use by the County Board of Education, with a favorable report.

H.B. 1306, a bill to remove certain described property from the corporate limits of the Town of Spruce Pine, with a favorable report.

H.B. 1313, a bill to allow Wilson County to acquire property for use by the County Board of Education, with a favorable report.

H.B. 1314 (Committee Substitute), a bill to allow Halifax, Nash, and Wilson Counties to acquire and otherwise make available property for use by the Board of Trustees of a Community College within the county, with a favorable report.

H.B. 1357 (Committee Substitute), a bill to exempt the annexation of the Edenton Airport from the ceiling on satellite annexations by the Town of Edenton, with a favorable report.

H.B. 1366, a bill to revise and consolidate the Charter of the City of Washington, with a favorable report.

H.B. 1370 (Committee Substitute), a bill to redefine the corporate limits of the Town of Summerfield, with a favorable report.

H.B. 1412, a bill to incorporate the Town of Peletier, with a favorable report.

COMMITTEE REFERRAL RECALL

S.B. 1201 (House Committee Substitute), a bill to permit the Lumberton Firemen's Supplementary Pension Fund to increase the monthly benefits to its

members, referred to the **Pensions and Retirement/Insurance/State Personnel Committee** on June 19.

Pursuant to Rule 47(b), Senator Soles offers a motion the House Committee Substitute bill be taken from the **Pensions and Retirement/Insurance/State Personnel Committee** and placed on a Supplemental Calendar for today for consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the House Committee Substitute bill recalled from the **Pensions and Retirement/Insurance/State Personnel Committee** and places it on a Supplemental Calendar for today, for consideration upon its passage.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages received in the office of the Principal Clerk from the House of Representatives transmitting bills for concurrence are presented to the Senate, read, and disposed of, as follows:

S.B. 33, a bill to give the district court concurrent jurisdiction with the superior court to accept a plea of guilty or no contest to a Class F, G, H, or I felony with the consent of the presiding district court judge, the State, and the defendant, for concurrence in the House Committee Substitute bill No. 2, which changes the title, upon concurrence, to read **S.B. 33** (House Committee Substitute No. 2), a bill to make various changes in the criminal jurisdiction of district and superior court and to make various criminal law procedural changes.

Pursuant to the direction of the Chair earlier today, the rules are suspended, without objection, and the House Committee Substitute bill No. 2 is placed on a Supplemental Calendar for today for consideration upon concurrence.

S.B. 359 (Committee Substitute), a bill to make it a felony offense to impersonate a law enforcement officer by unlawfully operating a motor vehicle with an operating blue or red light, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read **S.B. 359** (House Committee Substitute), a bill to make it a felony offense to impersonate a law enforcement officer by unlawfully operating a motor vehicle with an operating blue light.

On motion of Senator Albertson, the rules are suspended without objection, and the House Committee Substitute bill is placed on a Supplemental Calendar for today for consideration upon concurrence.

S.B. 540 (House Committee Substitute), a bill to provide for election of all the members of the Rockingham City Council for four–year terms, for concurrence in the House Committee Substitute bill.

Pursuant to the direction of the Chair earlier today, the rules are suspended, without objection, and the House Committee Substitute bill is placed on a Supplemental Calendar for today for consideration upon concurrence.

S.B. 855, a bill to authorize public hospitals to develop preferred provider organizations, health maintenance organizations, and managed care products with providers and insurers, for concurrence in the House Committee Substitute bill No. 2, which changes the title, upon concurrence, to read **S.B. 855** (House Committee Substitute No. 2), a bill to authorize public hospitals to develop various managed care organizations and managed care products with providers and insurers, to amend the Public Records Law, and to provide a health care personnel registry.

On motion of Senator Cooper, the rules are suspended without objection, and the House Committee Substitute bill No. 2 is placed before the Senate for immediate consideration.

The Senate fails to concur in the House Committee Substitute bill No. 2 (1–47).

Senator Basnight, President *Pro Tempore*, offers a motion to the end the Senate do appoint conferees, which motion prevails.

The President *Pro Tempore* appoints Senator Cooper, Chairman, and Senators Soles and Dannelly as conferees on the part of the Senate to resolve the differences arising between the two Bodies, and a message is ordered sent to the House of Representatives informing that Honorable Body of such action and requesting conferees.

Special messages received in the office of the Principal Clerk from the House of Representatives transmitting bills and resolutions are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 1116, a bill to abolish the Clinton–Sampson Agri–Civic Center Commission, with a recommended referral to the **Local Government and Regional Affairs Committee** by the Chairman of the **Rules and Operation of the Senate Committee**.

On motion of Senator Jordan, the rules are suspended without objection, to refer the bill to committee and the bill is placed on a Supplemental Calendar for today for consideration upon its passage.

H.B. 1139 (Committee Substitute), a bill to streamline the review of grievances filed by State employees and applicants for State employment.

Referred to **Children and Human Resources Committee.**

H.B. 1148 (Committee Substitute), a bill to reduce duplication of work between the Office of State Personnel and other agencies, departments, and institutions by the decentralization of certain functions from the Office of State Personnel to those agencies, departments, and institutions.

Referred to **Children and Human Resources Committee.**

H.B. 1169, a bill to abolish and merge certain boards and commissions.

Referred to **Rules and Operation of the Senate Committee**.

H.B. 1183, a bill to establish a standard time period of sixty days in which to obtain or change a drivers license, a special identification card, or a vehicle registration.

Referred to **Transportation Committee**.

H.B. 1204 (Committee Substitute), a bill to make it a Class F felony offense to assault a law enforcement, correctional, probation, parole, or detention officer and inflict serious bodily injury and to create a new criminal offense of assaulting a firefighter.

Referred to **Judiciary I/Constitution Committee**.

H.B. 1243, a bill to create a new felony offense of assault inflicting serious bodily injury as recommended by the North Carolina Sentencing and Policy Advisory Commission.

Referred to **Judiciary I/Constitution Committee**.

H.B. 1244 (Committee Substitute), a bill to clarify that appeal bonds are posted with the clerk of the appellate court in conformance with the North Carolina Rules of Appellate Procedure and to clarify that the undertaking on appeal must be in writing.

Referred to **Judiciary II/Election Laws Committee.**

H.B. 1286, a bill to prohibit hunting from the right–of–way of public roads in Northampton County, with a recommended referral to the **Local Government and Regional Affairs Committee** by the Chairman of the **Rules and Operation of the Senate Committee.**

On motion of Senator Jordan, the rules are suspended without objection to refer the bill to committee, and the bill is placed on a Supplemental Calendar for today for consideration upon its passage.

H.B. 1316 (Committee Substitute), a bill recommended by the Child Fatality Task Force to broaden the access to confidential records for the purposes of child fatality review and prevention.

Referred to **Children and Human Resources Committee.**

H.B. 1337 (Committee Substitute), a bill to amend the penalties that may be imposed for violations relating to motor vehicle emissions inspections based on whether the vehicle was intentionally improperly passed and to provide for notice and hearing prior to suspension or revocation, as recommended by the Environmental Review Commission.

Referred to **Transportation Committee.**

H.B. 1355 (Committee Substitute), a bill to extend up to twenty years the period to repay special assessments in the City of Fayetteville, with a recommended referral to the **Local Government and Regional Affairs Committee** by the Chairman of the **Rules and Operation of the Senate Committee.**

On motion of Senator Rand, the rules are suspended without objection to refer the measure to committee, and the Committee Substitute bill is placed on a Supplemental Calendar for today for consideration upon its passage.

H.B. 1383, a bill to authorize the Town of Cerro Gordo to convey by private sale certain property to Eugene Green, with a recommended referral to the **Local Government and Regional Affairs Committee** by the Chairman of the **Rules and Operation of the Senate Committee.**

On motion of Senator Soles, the rules are suspended without objection to refer the bill to committee, and the bill is placed on a Supplemental Calendar for today for consideration upon its passage.

H.B. 1397, a bill authorizing Columbus County to enter into leases for terms not longer than twenty years, with a recommended referral to the **Local Government and Regional Affairs Committee** by the Chairman of the **Rules and Operation of the Senate Committee.**

On motion of Senator Soles, the rules are suspended without objection to refer the bill to committee, and the bill is placed on a Supplemental Calendar for today for consideration upon its passage.

H.B. 1404 (Committee Substitute), a bill to expand the property tax homestead exemption for low–income elderly and disabled individuals and to reimburse

counties and cities for the resulting revenue loss.

Referred to **Finance Committee.**

H.J.R. 1410, a joint resolution authorizing the 1995 General Assembly, Regular Session 1996, to consider a joint resolution honoring the life and memory of Peleg Dameron Midgett, Jr., former member of the General Assembly.

Pursuant to Rule 43, the joint resolution is ordered held in the office of the Principal Clerk pending referral to committee.

H.B. 1424, a bill to add Caswell and Person Counties to those counties authorized to establish the boundaries between and among them by the use of orthophotography, with a recommended referral to the **Local Government and Regional Affairs Committee** by the Chairman of the **Rules and Operation of the Senate Committee.**

On motion of Senator Jordan, the rules are suspended without objection to refer the bill to committee, and the bill is placed on a Supplemental Calendar for today for consideration upon its passage.

H.J.R. 1451, a joint resolution authorizing the 1995 General Assembly, Regular Session 1996, to consider a joint resolution condemning arson, vandalism, and bomb threats against predominantly Black churches and supporting efforts to investigate and solve these crimes.

On motion of Senator Rand, the rules are suspended without objection, and the joint resolution is placed on a Supplemental Calendar for today for consideration upon its passage.

H.J.R. 1453, a joint resolution authorizing the 1995 General Assembly, Regular Session 1996, to consider a bill to be entitled an act to raise the penalty for burning of religious structures.

On motion of Senator Rand, the rules are suspended without objection, and the joint resolution is placed on a Supplemental Calendar for today for consideration upon its passage.

H.B. 1301 (Committee Substitute), a bill to provide that it is a Class F felony to abduct a child from any person, agency, or institution lawfully entitled to the child's custody as recommended by the North Carolina Child Fatality Task Force.

Referred to **Judiciary II/Election Laws Committee.**

H.B. 1411 (Committee Substitute), a bill to prohibit an exhibition featuring a dog fight.

Referred to **Judiciary I/Constitution Committee.**

A special message received in the office of the Principal Clerk from the House of Representatives transmitting a bill for concurrence is presented to the Senate, read, and disposed of, as follows:

S.B. 709, a bill to validate certain actions of Columbus County Water and Sewer District I, for concurrence in the House Committee Substitute bill No. 3, which changes the title, upon concurrence, to read **S.B. 709** (House Committee Substitute No. 3), a bill to allow the consolidation of human services by counties, to make

provisions relative to the State and federal funding streams for consolidated human services functions, to provide that the membership of a consolidated human services board shall be appointed solely by the Board of County Commissioners, and to change the status of county employees of a consolidated county human services agency with regard to their coverage under the State Personnel Act.

On motion of Senator Sherron, the rules are suspended without objection, and the House Committee Substitute bill No. 3 is placed on a Supplemental Calendar for today for consideration upon concurrence.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special messages are received from the House of Representatives:

H.B. 114
(Senate Committee Substitute)

House of Representatives
June 20, 1996

Mr. President:

We respectfully request delivery of Senate Committee Substitute for **HB 114**, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MERGER OF THE ALAMANCE COUNTY SCHOOLS AND THE BURLINGTON CITY SCHOOLS MAY BECOME EFFECTIVE ONLY IF APPROVED BY THE VOTERS OF ALAMANCE COUNTY.

Respectfully,
S/Denise Weeks
Principal Clerk

The Chair orders the Senate Committee Substitute bill held in the Clerk's office pending further order.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

S.B. 1139
(House Committee Substitute)

House of Representatives
June 20, 1996

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute for **SB 1139**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO AUTHORIZE THE STATE BOARD OF EDUCATION TO EXPEND FUNDS FOR PERFORMANCE AWARDS, the Speaker has appointed as conferees on the part of the House,

Representative Grady, Chair;
Representative Preston,

Representative Rogers,
Representative Wood, and
Representative Eddins,
to act with a like committee on the part of the Senate to the end that the difference existing between the two bodies may be adjusted.

Respectfully,
S/Denise Weeks
Principal Clerk

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

S.B. 1173
(Committee Substitute)

House of Representatives
June 21, 1996

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **SB 1173**, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION OF VARIOUS COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER. Pursuant to your message that your Honorable Body has adopted the report of the Conferees, you may order the bill enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

The Chair orders the Committee Substitute bill enrolled.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

H.B. 1100
(Senate Committee Substitute)

House of Representatives
June 21, 1996

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has reconsidered the vote by which the House failed to concur in the Senate Committee Substitute to **HB 1100**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE, SUBJECT TO A VOTE OF THE QUALIFIED VOTERS OF THE STATE, TO PROVIDE FUNDS FOR GRANTS TO COUNTIES FOR PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS, IN ORDER TO PROMOTE EQUITY IN LOCAL SCHOOL FACILITIES ACROSS THE STATE AND TO ENABLE LOCAL GOVERNMENTS TO GIVE LOCAL PROPERTY TAX RELIEF, AND TO ENSURE THAT CERTAIN GRANTS FOR SCHOOL FACILITY NEEDS CONTINUE TO BE MADE IN ACCORDANCE WITH THE 1988 PRIORITY

LIST and conferees have been dismissed.

Respectfully,
S/Denise Weeks
Principal Clerk

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

H.B. 1256

House of Representatives
June 21, 1996

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **HB 1256**, A BILL TO BE ENTITLED AN ACT TO PROVIDE STAGGERED TERMS FOR THE GOVERNING BOARD OF THE TOWN OF SPRUCE PINE, AND CONCERNING THE VOTING POWER OF THE MAYOR.
Pursuant to your message that your Honorable Body has adopted the report of the Conferees, we have ordered the bill enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

CALENDAR

H.B. 879 (Committee Substitute), a bill to amend the State's gun laws by preempting local regulation, changing the title, upon concurrence, to read **H.B. 879** (Senate Committee Substitute), a bill to amend the State's gun laws to establish statewide uniform regulation, carried forward as unfinished business from the Supplemental Calendar for Thursday, June 20.

With unanimous consent, on motion of Senator Cooper, the Senate Committee Substitute bill is taken up out of its regular order of business.

Senator Odom offers Amendment No. 1. Upon a tie-vote (24–24) the Lieutenant Governor votes "aye" and Amendment No. 1, offered by Senator Odom, is adopted.

Senator Davis offers a motion that the vote by which Amendment No. 1 was adopted be reconsidered, which motion prevails (47–2), and the question becomes the adoption of Amendment No. 1.

Amendment No. 1 offered by Senator Odom is adopted (26–23).

The Senate Committee Substitute bill, as amended, passes its second (40–9) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill, without engrossment, by special messenger.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides in the absence of the Lieutenant Governor.

COMMITTEE REFERRAL RECALL

H.B. 1096, a bill to transfer responsibility for collecting the remainder of the gross premiums tax from the Department of Insurance to the Department of

Revenue and to clarify related statutes, referred to the **Appropriations Committee** on June 18.

Pursuant to Rule 47(b), Senator Perdue offers a motion the bill be taken from the **Appropriations Committee** and placed on today's Supplemental Calendar for consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Appropriations Committee** and places it on a Supplemental Calendar for today for consideration upon its passage.

H.B. 1258, a bill to authorize the University of North Carolina to retain the net proceeds from sale of the former residence of the Chancellor of Winston–Salem State University for application toward purchase of the successive residence for the Chancellor, referred to the **Appropriations Committee** on June 17.

Pursuant to Rule 47(b), Senator Perdue offers a motion the bill be taken from the **Appropriations Committee** and placed on today's Supplemental Calendar for consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Appropriations Committee** and places it on a Supplemental Calendar for today for consideration upon its passage.

H.B. 1394, a bill to allow the Counties of Graham and Cherokee to acquire property for use by the County Board of Education, referred to the **Appropriations Committee** on June 20.

Pursuant to Rule 47(b), Senator Perdue offers a motion the bill be taken from the **Appropriations Committee** and placed on a Supplemental Calendar for today for consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Appropriations Committee** and places it on today's Supplemental Calendar for consideration upon its passage.

CALENDAR

The bill on the Calendar, carried forward as unfinished business from Wednesday, June 19, is taken up and disposed of, as follows:

S.B. 1292, a bill to clarify the maximum period of time a juvenile may be committed in accordance with the Structured Sentencing Act as recommended by the Sentencing and Policy Advisory Commission, as amended.

With unanimous consent, on motion of Senator Gulley, the bill, as amended, is recommitted to the **Judiciary II/Election Laws Committee.**

RECALL FROM ENROLLING

H.B. 1203 (Committee Substitute), a bill to allow the appointment in certain circumstances of precinct officials and ballot counters for a precinct who are not registered to vote in that precinct, ordered enrolled on June 20.

Senator Gulley offers a motion to the end the Committee Substitute bill be recalled from the Enrolling Office for further consideration, which motion prevails.

The Enrolling Clerk returns the Committee Substitute bill and the Chair lays it before the Senate.

Senator Gulley offers a motion that the vote by which the Committee Substitute bill passed its third reading be reconsidered, which motion prevails (46–0), and the question becomes passage of the Committee Substitute bill upon its third reading.

Senator Gulley offers Amendment No. 1 which is adopted (43–2), changing the title, upon concurrence, to read **H.B. 1203** (Committee Substitute), a bill to allow the appointment in certain circumstances of precinct officials, observers, and ballot counters for a precinct who are not registered to vote in that precinct.

The Committee Substitute bill, as amended, passes its third reading (46–0) and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1, by special messenger.

CALENDAR *(Continued)*

Bills on the Calendar, carried forward as unfinished business from Thursday, June 20, are taken up and disposed of, as follows:

H.B. 1125, a bill to allow one–stop ballots to be directly inserted in optical scan tabulators in Wake County as if the ballots were being voted at the precinct, as amended, to read, upon concurrence, **H.B. 1125**, a bill to allow one–stop ballots to be directly inserted in optical scan tabulators in Wake and Durham Counties as if the ballots were being voted at the precinct, upon third reading.

Senator Rand offers Amendment No. 2, to amend the bill as amended by Amendment No. 1, which is adopted (47–0), further changing the title, upon concurrence, to read **H.B. 1125**, a bill to allow one–stop ballots to be directly inserted in optical scan tabulators in various counties as if the ballots were being voted at the precinct.

The bill, as amended, passes its third reading and is ordered sent to the House of Representatives, for concurrence in Senate Amendments No. 1 and No. 2, by special messenger.

H.B. 1147, a bill to update the reference to the Internal Revenue Code used in defining and determining certain State tax provisions, upon third reading.

The bill passes its third reading by roll–call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Rand, Sherron, Simpson, Soles, Speed, Warren, Webster, and Winner—46.

Voting in the negative: None.

The bill is ordered enrolled.

H.B. 1345 (Committee Substitute), a bill to implement the recommendations of the Committee on Appropriations by establishing the percentage rates for the insurance regulatory charge and the public utility regulatory fee, upon third reading.

The Committee Substitute bill passes its third reading by roll–call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Simpson, Soles, Speed, Warren, Webster, and Winner—46.

Voting in the negative: None.
The Committee Substitute bill is ordered enrolled.

CONFERENCE REPORT

S.B. 1139 (House Committee Substitute)

Senator Winner for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **S.B. 1139** (Committee Substitute), a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to implement the State Board of Education's ABC's plan in order to establish an accountability model for the public schools to improve student performance and increase local flexibility and control, to make conforming changes, and to make an appropriation, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 1139** (House Committee Substitute), a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to implement the State Board of Education's ABC's plan in order to establish an accountability model for the public schools to improve student performance and increase local flexibility and control, to make conforming changes, and to authorize the State Board of Education to expend funds for performance awards, submits for adoption the following report, which proposes to further change the title, upon adoption, to read **S.B. 1139** (House Committee Substitute), a bill to implement the recommendation of the Joint Legislative Education Oversight Committee to implement the State Board of Education's ABC's plan in order to establish an accountability model for the public schools to improve student performance and increase local flexibility and control, and to make conforming changes.:

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 1139, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, TO MAKE CONFORMING CHANGES, AND TO AUTHORIZE THE STATE BOARD OF EDUCATION TO EXPEND FUNDS FOR PERFORMANCE AWARDS, Fifth Edition Engrossed 6/19/96, submit the following report:

The Senate and House agree to the following amendments to the Fifth Edition Engrossed 6/19/96, and the Senate concurs in the Fifth Edition Engrossed 6/19/96 as amended:

on page 1, lines 7–9, by rewriting the lines to read as follows:
"FLEXIBILITY AND CONTROL, AND TO MAKE CONFORMING CHANGES.";

and on page 5, line 7, by adding at the end of the line the following new sentence:
"This process shall provide for final resolution of the disputes.";

and on page 7, line 22, by inserting between the words "children" and "shall" the following phrase:

"and funds allocated for driver's education";

and on page 7, lines 27–28, by inserting between the lines the following new subdivisions:

"(6) Funds allocated for vocational education may be transferred only in accordance with any rules that the State Board of Education considers appropriate to ensure compliance with federal regulations.

(7) Funds allocated for career development shall be used in accordance with Section 17.3 of Chapter 324 of the 1995 Session Laws.";

and on page 9, line 35, by inserting before the phrase "The principal" the following sentence "In order to improve student performance, each school shall develop a school improvement plan that takes into consideration the annual performance goal for that school that is set by the State Board under G.S. 115C–105.28.";

and on page 10, lines 18–20, by rewriting the lines to read:

"Support among affected staff members is essential to successful implementation of a ~~building level plan to address school and student performance goals appropriate to a school; therefore, the~~ school improvement plan to address improved student performance at that school. The principal of the school shall present the proposed";

and on page 10, lines 38–42, by rewriting the lines to read:

"improvement plan is accepted for a school ~~before March 15 of the fiscal year preceding the fiscal year in which participation is sought,~~ within 60 days after its initial submission to the local board, the school or the local board may ask to use the process to resolve disagreements recommended in the guidelines developed by the State Board under G.S. 115C–105.20(b)(5). If this request is made, both the school and local board shall participate in the process to resolve disagreements. If there is no request to";

and on page 11, line 5, by rewriting the line to read:

"or appropriate. If, at any time, any part of a school improvement plan becomes unlawful or the local board finds that a school improvement plan is impeding student performance at a school, the local board may vacate the relevant portion of the plan and may direct the school to revise that portion. The procedures set out in this subsection shall apply to amendments and revisions";

and on page 18, lines 33–34, by inserting between the lines the following new sentence:

"If an assistance team determines that an accepted school improvement plan developed under G.S. 115C–105.22 is impeding student performance at a school, the team may recommend to the local board that it vacate the relevant portions of that plan and direct the school to revise those portions.";

and on page 18, line 41–43, by rewriting the lines to read:

"(a) Upon the identification of a school as low–performing under this Part, the State Board shall proceed under G.S. 115C–325(q)(1) for the dismissal of the principal assigned to that school.";

and on page 19, line 1, by rewriting the line to read:

"(b) The State Board shall proceed under G.S. 115C-325(q)(2) for the dismissal of teachers, assistant";

and on page 21, line 14, by inserting after the word "measure", the following: "that are adequate to determine the appropriate placement of the child";

and on page 21, lines 19-21, by rewriting the lines to read:

"law, the State Board:

a. Shall suspend with pay a principal who has been assigned to a school for more than two years before the State Board identifies that school as low-performing and assigns an assistance team to that school under Article 8B of this Chapter; and

b. May suspend with pay a principal who has been assigned to a school for no more than two years before the State Board identifies that school as low-performing and assigns an assistance team to that school under Article 8B of this Chapter.

These principals shall";

and on page 21, line 37, through page 22, line 9, by rewriting the lines to read:

law, this subdivision shall govern the State Board's dismissal of teachers, assistant principals, directors, and supervisors assigned to schools that the State Board has identified as low-performing and to which the State Board has assigned an assistance team under Article 8B of this Chapter. The State Board shall dismiss a teacher, assistant principal, director, or supervisor when the State Board receives two consecutive evaluations that include written findings and recommendations regarding that person's inadequate performance from the assistance team. These findings and recommendations shall be substantial evidence of the inadequate performance of the teacher or school administrator.

The State Board may dismiss a teacher, assistant principal, director, or supervisor when:

a. The State Board determines that the school has failed to make satisfactory improvement after the State Board assigned an assistance team to that school under G.S. 115C-105.31; and

b. That assistance team makes the recommendation to dismiss the teacher, assistant principal, director, or supervisor for one or more grounds established in G.S. 115C-325(e)(1) for dismissal or demotion of a career teacher.

A teacher, assistant principal, director, or supervisor may request a hearing before a panel of three members of the State Board within 30 days of any dismissal under this subdivision. The State Board shall adopt procedures to";

and on page 22, line 12, by deleting the phrase "local board" and by substituting the phrase "State Board";

and on page 22, line 21, by rewriting the line to read:

"damages under this subsection.

(5) The State Board shall have the right to subpoena witnesses and documents on behalf of any party to the proceedings under this subsection.'";

and beginning on page 22, line 22, through page 24, line 19, by rewriting the lines to read as follows:

"Section 8.1. The State Board of Education shall develop a comprehensive plan to improve reading achievement in the public schools. The plan shall be fully integrated with State Board plans to improve student performance and promote local flexibility and efficiency. The plan shall be based on reading instructional practices for which there is strong evidence of effectiveness in existing empirical scientific research studies on reading development. The plan shall be developed with the active involvement of teachers, college and university educators, parents of students, and other interested parties. The plan shall, if appropriate, include revision of the standard course of study, revision of teacher certification standards, and revision of teacher education program standards.

Sec. 8.2. The State Board of Education shall critically evaluate and revise the standard course of study so as to provide school units with guidance in the implementation of balanced, integrated, and effective programs of reading instruction. The General Assembly believes that the first, essential step in the complex process of learning to read is the accurate pronunciation of written words and that phonics, which is the knowledge of relationships of the symbols of the written language and the sounds of the spoken language, is the most reliable approach to arriving at the accurate pronunciation of a printed word. Therefore, these programs shall include early and systematic phonics instruction. The State Board shall provide opportunities for teachers, parents, and other interested parties to participate in this evaluation and revision.

Sec. 8.3. In order to reflect changes to the standard course of study and to emphasize balanced, integrated, and effective programs of reading instruction that include early and systematic phonics instruction, the State Board of Education, in collaboration with the Board of Governors of The University of North Carolina and with the North Carolina Association of Independent Colleges and Universities, shall review, evaluate, and revise current teacher certification standards and teacher education programs within the institutions of higher education that provide coursework in reading instruction.

Sec. 8.4. Local boards of education are encouraged to review and revise existing board policies, local curricula, and programs of professional development in order to reflect changes to the standard course of study and to emphasize balanced, integrated, and effective programs of reading instruction that include early and systematic phonics instruction.

Sec. 8.5. (a) The State Board of Education shall report to the Joint Legislative Education Oversight Committee by December 31, 1996, and annually thereafter on the comprehensive plan developed under Section 1 of this act. The first report shall include revisions made to the standard course of study, teacher certification standards, and teacher education programs. Subsequent reports shall address the effectiveness, based on factors including improved student performance in reading, of the implementation of the plan. The State Board may make recommendations to the General Assembly in any of its reports.

(b) The State Board shall disseminate to local boards of education by March 31, 1997, the changes to the standard course of study.";

and by renumbering the following sections accordingly;

and on page 25, lines 16–28, by rewriting the lines to read:

"followed by community media advisory committees.";

and on page 27, line 17,
by rewriting the line to read:
"~~G.S. 115C-522(a)~~ G.S. 115C-522(a) and 115C-528.";

and on page 27, line 31, by deleting the phrase "G.S. 115C-529", and substituting the phrase "G.S. 115C-528";

and on page 27 lines 35-36, by rewriting the lines to read:
"approval of the Department of Administration. Title to instructional supplies, office supplies, fuel and janitorial";

and on page 27, line 43, by deleting the phrase "G.S. 115C-529" and substituting the phrase "G.S. 115C-528";

and on page 28, lines 4-27, by rewriting the lines to read:
"Sec. 14. Article 37 of Chapter 115C is amended by adding a new section to read:
'**§ 115C-528. Lease purchase and installment purchase contracts for certain**'";

and on page 29, lines 31, 33, and 35, by deleting the phrase "115C-529" each time it appears and substituting the phrase "115C-528";

and on page 29, lines 41-42, by inserting between the lines a new section to read:
"Sec. 15.1. (a) The State Board of Education shall develop and implement a pilot program allowing selected local school administrative units to purchase supplies, equipment, and materials from noncertified sources. In developing the program, the State Board shall collaborate with the Department of Administration on establishing standards, specifications, and any other measures necessary to implement and evaluate the pilot program. The State Board shall initially select twelve (12) local school administrative units that are diverse in geography and size to participate in the pilot program. If the State Board thereafter determines that the pilot program is effective, efficient, and in the best interest of the public schools, the State Board shall have the authority to expand the pilot program to additional local school administrative units.

(b) Local school administrative units participating in the pilot program shall have the authority to purchase the same supplies, equipment, and materials from noncertified sources as are available under State term contracts, subject to the following conditions:

(1) The purchase price, including the cost of delivery, is less than the cost under the State term contract;

(2) The cost of the purchase shall not exceed the bid value benchmark established under G.S. 143-53.1;

(3) The local school administrative unit documents in writing the cost savings; and

(4) The local school administrative unit shall provide annually by August 15 an itemized report of the cost savings to the State Board of Education.

(c) The requirements listed in subsection (b) of this section shall not apply to purchases from noncertified sources that fall below the economic ordering quantity of a State term contract.

(d) The State Board of Education shall provide to the Department of Administration copies of the itemized annual reports produced by the local school administrative units participating in the pilot program. The State Board shall evaluate the information provided by the participating units and shall report its findings and recommendations to the Joint Legislative Education Oversight Committee by October 1, 1997, and annually thereafter.";

and on page 30, line 8, by deleting the word "annual" and substituting the word "the";

and on page 30, line 9, by inserting after the phrase "G.S. 115C–325(a)(6)", the following sentence:
"All teachers shall be evaluated annually unless a local board adopts rules that allow specified categories of teachers with career status to be evaluated less frequently.";

and on page 36, lines 13–15, by rewriting the lines to read:
"expenditures or revenues of a unit of local government under G.S. 150B–21.4(b). The notice shall state that a copy of the fiscal note may be obtained from the State Board.";

and on page 36, line 16, by deleting the phrase "11–15" and substituting "11–15.1";

and on page 36, line 41 through page 37, line 6, by deleting the lines;

and by renumbering the remaining sections accordingly;

and on page 38, line 4, by rewriting the line to read:
"Sec. 32. (a) Section 15.1 of this act becomes";

and on page 38, line 7, by rewriting the lines to read:
"(b) The".

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 21, 1996.

S/Leslie Winner	S/Robert Grady
S/J. Clark Plexico	S/Jean Preston
S/Fletcher L. Hartsell, Jr.	S/R. Eugene Rogers
	Steve Wood
	Rick Eddins
Conferees for the Senate	*Conferees for the House of Representatives*

On motion of Senator Winner, the Conference Report is adopted (47–0) changing the title, and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

CALENDAR *(June 20 Unfinished Business Continued)*

S.B. 1188 (Committee Substitute), a bill to establish the offenses of trespass on pine straw production land and larceny of pine straw.

With unanimous consent, the Committee Substitute bill is taken up out of its regular order of business.

The Committee Substitute bill passes its second (45–1) and third readings and is ordered sent to the House of Representatives by special messenger.

S.B. 192 (Committee Substitute), a bill to exempt from sales and use tax vitamins and nutritional supplements dispensed by chiropractic physicians.

The Committee Substitute bill passes its second (46–0) and third readings and is ordered sent to the House of Representatives by special messenger.

S.B. 1344, a bill to amend the laws governing Employee Insurance Committees.

The bill passes its second (45–0) and third readings and is ordered sent to the House of Representatives by special messenger.

H.B. 9 (Senate Committee Substitute), a bill to expedite the postconviction process in North Carolina.

Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.

The Senate Committee Substitute bill passes its second (48–1) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill by special messenger.

H.B. 934 (Senate Committee Substitute), a bill to make clarifying, conforming, and technical changes to various laws relating to environment, health, and natural resources and related laws.

The Senate Committee Substitute bill passes its second (42–2) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill by special messenger.

H.B. 1086 (Senate Committee Substitute), a bill to make technical corrections in the 1995 workers' compensation insurance loss costs rating laws.

The Senate Committee Substitute bill passes its second (43–0) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill by special messenger.

H.B. 1199 (Committee Substitute), a bill to revise the definition of nonfleet motor vehicle to allow flexibility for the number of automobiles that may be written under a personal automobile insurance policy as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues.

On motion of Senator Soles, Committee Amendment No. 1 is adopted, changing the title, upon concurrence, to read **H.B. 1199** (Committee Substitute), a bill to revise the definition of nonfleet motor vehicle to allow flexibility for the number of automobiles that may be written under a personal automobile insurance policy as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues and to provide that there are no reinsurance facility recoupment surcharge or safe driver incentive plan surcharges for certain accidents occurring during responses to emergencies.

The Committee Substitute bill, as amended, passes its second (45–0) and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1, by special messenger.

H.B. 1135, a bill to repeal the statute which named "New Road" in Craven County, changing the title, upon concurrence to read **H.B. 1135** (Senate Committee Substitute), a bill to repeal the statute which named "New Road" in Craven County, to authorize Craven County to levy an additional room occupancy tax, and to revise the existing Craven County room occupancy tax, on today's Calendar, upon third reading.

With unanimous consent, on motion of Senator Perdue, the Senate Committee Substitute bill is taken up out of its regular order of business.

The Senate Committee Substitute bill passes its third reading by roll–call vote, ayes 43, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Ballantine, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Parnell, Perdue, Plexico, Rand, Shaw, Sherron, Simpson, Soles, Speed, Warren, Webster, and Winner—43.

Voting in the negative: Senator Page—1.

The Senate Committee Substitute bill is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill by special messenger.

ENROLLED BILLS

The Enrolling Clerk reports the following bills properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

H.B. 1080 (Committee Substitute), an act to make fox hunting in Currituck County consistent with the regulations of the Wildlife Resources Commission by repealing the law authorizing fox hunting in certain portions of Currituck County at all times of the year. (Ch. 627)

H.B. 1270 (Senate Committee Substitute), an act to prohibit hunting from the right–of–way of Powell Road in Craven County and to prohibit hunting from the right–of–way of public roads in Northampton County. (Ch. 628)

H.B. 1372 (Senate Committee Substitute), an act to confirm that Stanly County may purchase and convey property to the State of North Carolina for use as a correctional facility and to delay the effective date of the law requiring the register of deeds to comply with minimum indexing standards for land records management in Brunswick County. (Ch. 629)

H.B. 1376 (Committee Substitute), an act to remove the bag limits on the trapping of raccoons in Beaufort, Hyde, and Pamlico Counties. (Ch. 630)

H.B. 1100 (Senate Committee Substitute), an act to implement the recommendation of the School Capital Construction Study Commission to authorize the issuance of general obligation bonds of the State, subject to a vote of the qualified voters of the State, to provide funds for grants to counties for public school capital outlay projects, in order to promote equity in local school facilities across the State and to enable local governments to give local property tax relief, and to ensure

that certain grants for school facility needs continue to be made in accordance with the 1988 priority list. (Ch. 631)

H.B. 207 (Committee Substitute), an act to make it a felony offense to solicit a child by means of computer to commit an unlawful sex act. (Ch. 632)

H.B. 1077 (Senate Committee Substitute), an act to make various changes in the marine fisheries laws and to create a Scientific Advisory Council. (Ch. 633)

H.B. 1149 (Senate Committee Substitute), an act to change the requirements pertaining to physician licensing and registration with the North Carolina Medical Board. (Ch. 634)

H.B. 1268 (Senate Committee Substitute), an act to expedite disposal of unclaimed vehicles by towing and storage businesses. (Ch. 635)

H.B. 1395, an act to allow for initiative, referendum, and recall in the Town of River Bend and to delay the effective date of the law requiring the register of deeds to comply with minimum indexing standards for land records management in Brunswick County. (Ch. 636)

S.B. 1221, an act relating to sales of seized, unclaimed property by the City of Winston–Salem. (Ch. 637)

S.B. 1222, an act amending the Charter of the City of Winston–Salem relating to the sale of property. (Ch. 638)

S.B. 1223, an act relating to the daily deposit of collections and receipts by the City of Winston–Salem. (Ch. 639)

S.B. 1365, an act concerning modification of the municipal limits between the City of Raleigh and the Town of Garner. (Ch. 640)

S.B. 1378, an act authorizing Durham County to enter into contracts to construct sidewalks within the County's jurisdiction. (Ch. 641)

S.B. 1385, an act to authorize the Durham City Council to determine the number of regular meetings of the City Council to be held each month. (Ch. 642)

S.B. 1397, an act to incorporate the Village of Sloop Point in Pender County. (Ch. 643)

S.B. 878, an act to authorize certain airport boards and commissions to own, operate, and finance the purchase and improvement of water and wastewater systems. (Ch. 644)

S.B. 1094, an act to increase certain fees under the Nursing Home Administrator Act. (Ch. 645)

S.B. 1178 (Committee Substitute), an act to make technical and conforming changes to the revenue laws and related statutes and to allow the voluntary withholding of income tax from unemployment compensation payments. (Ch. 646)

S.B. 1198, an act to clarify the requirements concerning imports and exports of motor fuel under the "tax at the rack" laws and to make other adjustments to those laws. (Ch. 647)

S.B. 1317, an act to provide for the continued solvency of the Commercial Leaking Petroleum Underground Storage Tank Cleanup Fund and to make other changes to the Leaking Petroleum Underground Storage Tank Cleanup Program, as recommended by the Environmental Review Commission. (Ch. 648)

S.B. 1239, an act to exempt from sales and use tax free samples of prescription drugs distributed by the manufacturer. (Ch. 649)

With unanimous consent, the President grants leaves of absence as necessary after 3:22 P.M. to Senator Odom, Senator Perdue, and Senator Plyler for the purpose of conferring with Members of the House of Representatives on ***H.B. 1108*** *(Senate Committee Substitute), a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, and to make other changes in the budget operation of the State, to resolve the differences between the Senate and the House of Representatives.*

CALENDAR *(June 20 Unfinished Business Continued)*

H.B. 1201 (Committee Substitute), a bill to provide that insurers are not required to obtain written consent to rate on each policy renewal as recommended by the Legislative Research Commission's Committee on Insurance and Insurance-Related Issues.

The Committee Substitute bill passes its second (43–0) and third readings and is ordered enrolled.

H.B. 1202 (Committee Substitute), a bill to conform the law governing small employer health benefit plans to 1995 legislation as recommended by the Legislative Research Commission's Committee on Insurance and Insurance-Related Issues and to clarify the applicability of certain medical underwriting provisions.

The Committee Substitute bill passes its second (43–0) and third readings and is ordered enrolled.

S.B. 821, a bill to amend the definition of preneed funeral funds, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read **S.B. 821** (House Committee Substitute), a bill to clarify the law relating to the preneed sales of funeral merchandise.

Without objection, Senator Jordan is excused from voting for the stated reason "funeral director."

The Senate concurs in the House Committee Substitute bill (44–0) and the measure is ordered enrolled.

H.B. 1102, a bill to implement the recommendation of the School Capital Construction Study Commission to direct the State Board of Education and the Local Government Commission to modify their accounting and reporting systems to allow tracking of local expenditures in schools' capital outlay funds, to direct the State Board of Education to develop a uniform system for schools to develop

five–year capital needs plans, and to amend the School Budget and Fiscal Control Act.

The bill passes its second (46–0) and third readings and is ordered enrolled.

H.B. 1413, a bill to allow Mecklenburg County to acquire property for a magnet technical high school for use by its County Board of Education, upon second reading.

Senator Shaw offers Amendment No. 1.

The Chair rules the bill does not require a call of the roll.

On motion of Senator Winner, the Chair orders, without objection, the bill temporarily displaced, with Amendment No. 1 pending.

H.B. 779 (Committee Substitute), a bill to create the North Carolina Board of Employee Assistance Professionals and to provide for the licensing of employee assistance professionals, upon second reading.

On motion of Senator Kerr, Committee Amendment No. 1 is adopted.

The Chair rules the Committee Substitute bill, as amended, does not require a call of the roll.

Senator Kerr calls the previous question, seconded by Senator Hoyle. The call is sustained.

The Committee Substitute bill, as amended, passes its second (24–21) and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1 by special messenger.

H.B. 1413, a bill to allow Mecklenburg County to acquire property for a magnet technical high school for use by its County Board of Education, temporarily displaced earlier, with Amendment No. 1 pending.

Following discussion, the Chair orders, without objection, the bill temporarily displaced, with Amendment No. 1 pending.

S.B. 1324 (Committee Substitute), a bill to make changes in the Administrative Procedure Act, to make changes in various laws granting the power to adopt rules, and to clarify the requirements concerning certain removals of underground storage tanks, as recommended by the Administrative Procedure Oversight Committee.

Senator Sherron offers Amendment No. 1.

The President relinquishes the gavel to Senator Basnight, President Pro Tempore, who presides.

Amendment No. 1, offered by Senator Sherron is adopted (43–3) *(See Addendum).*

The Chair announces the voting equipment is inoperative.

The Committee Substitute bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives by special messenger without engrossment of Amendment No. 1.

S.B. 1297 (Committee Substitute), a bill to provide for mandatory conditions of probation for sex offenders and persons convicted of offenses involving physical, mental, or sexual abuse of children, upon third reading.

Senator Odom offers Amendment No. 1.

Following debate, Senator Odom offers a motion further consideration of the Committee Substitute bill, with Amendment No. 1 pending, be postponed until the

last order of business on tomorrow's Calendar which motion he subsequently withdraws.

The Chair announces Senator Plyler and Senator Perdue are in the Chamber and the leave of absence granted previously is withdrawn.

Amendment No. 1, offered by Senator Odom, is adopted (34–11).

The Chair announces the voting equipment is inoperative.

The Committee Substitute bill, as amended, passes its third reading and is ordered sent to the House of Representatives by special messenger, without engrossment of Amendment No. 1.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S.B. 855 House of Representatives
(House Committee Substitute No. 2) June 21, 1996

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in House Committee Substitute for **SB 855**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO DEVELOP VARIOUS MANAGED CARE ORGANIZATIONS AND MANAGED CARE PRODUCTS WITH PROVIDERS AND INSURERS AND TO AMEND THE PUBLIC RECORDS LAW, the Speaker has appointed as conferees on the part of the House,

Representative Morgan,
Representative Neely,
Representative Hill, and
Representative Edwards,

to act with a like committee on the part of the Senate to the end that the difference existing between the two bodies may be adjusted.

Respectfully,
S/Denise Weeks
Principal Clerk

CONFERENCE REPORT

S.B. 855 (House Committee Substitute No. 2)

Senator Cooper for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **S.B. 855**, a bill to authorize public hospitals to develop preferred provider organizations, health maintenance organizations, and managed care products with providers and insurers, which House Committee Substitute bill No. 2 proposes to change the title, upon concurrence, to read **S.B. 855** (House Committee Substitute No. 2), a bill to authorize public hospitals to develop various managed care organizations and managed care products with providers and insurers, to amend the Public Records Law, and to provide a health care personnel registry, submits the following report for adoption:

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 855, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO DEVELOP VARIOUS MANAGED CARE ORGANIZATIONS AND MANAGED CARE PRODUCTS WITH PROVIDERS AND INSURERS, TO AMEND THE PUBLIC RECORDS LAW, AND TO PROVIDE A HEALTH CARE PERSONNEL REGISTRY, House Committee Substitute #2 Favorable 6/19/96, submit the following report:

The House and Senate agree to the following amendments to the House Committee Substitute, House Committee Substitute #2 Favorable 6/19/96, and the Senate concurs in the House Committee Substitute #2 as amended:

on page 2, lines 1 through 3, by rewriting those lines to read:
"The financial terms or other competitive health care information in a contract related to the provision of health care between a hospital and a managed care organization, insurance company, employer, or other payer is confidential and not a public record under Chapter 132 of the General Statutes.'";

and on page 2, lines 4–9, by deleting those lines and renumbering the remaining sections accordingly;

and on page 4, line 28, by adding the following sentence at the end of said line:

"Section 2 of this act expires June 1, 1997."

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June 21, 1996.

S/Roy Cooper	S/Richard T. Morgan
S/R. C. Soles, Jr.	S/Charles Neely
S/Charlie Dannelly	S/Dewey Hill
	S/Zeno Edwards
Conferees for the Senate	*Conferees for the House of Representatives*

On motion of Senator Cooper, the Conference Report is adopted changing the title and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

CALENDAR *(Unfinished Business Continued)*
(June 20 Supplemental Calendar)

H.B. 1280 (Committee Substitute), a bill to recodify the statute establishing liens on insurance proceeds to secure child support and to provide that such liens are

subordinate to liens arising under Article 9 of Chapter 44 of the General Statutes and to other health care provider claims.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H.B. 1413, a bill to allow Mecklenburg County to acquire property for a magnet technical high school for use by its County Board of Education, temporarily displaced earlier, with Amendment No. 1 pending.

With unanimous consent, Senator Shaw withdraws Amendment No. 1.

The bill passes its second and third readings and is ordered enrolled.

Senator Basnight, President Pro Tempore, relinquishes the gavel to the President of the Senate, Lieutenant Governor Wicker, who presides.

H.B. 1144 (Committee Substitute), a bill to create the Butner Advisory Council and to enumerate its duties.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H.B. 1328, a bill to abolish the Sanford Golf Commission.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1388, a bill to amend the law regarding the City of Wilson Firemen's Supplemental Retirement Fund.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1417, a bill relating to disclosure of business interest in Guilford County.

On motion of Senator Perdue, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1, by special messenger.

H.B. 1421, a bill to provide for the election of the Board of Education of the Mount Airy City School Administrative Unit.

The bill passes its second and third readings and is ordered enrolled.

S.B. 1273 (Committee Substitute), a bill to implement the recommendation of the performance audit of the Division of Motor Vehicles of the Department of Transportation to eliminate the position of Commissioner of Motor Vehicles.

The Committee Substitute bill passes its second (44–0) and third readings and is ordered sent to the House of Representatives by special messenger.

S.B. 1298 (Committee Substitute), a bill to amend the penalties that may be imposed for violations relating to motor vehicle emissions inspections based on whether the vehicle was intentionally improperly passed and to provide for notice and hearing prior to suspension or revocation, as recommended by the Environmental Review Commission.

The Committee Substitute bill passes its second (43–0) and third readings and is ordered sent to the House of Representatives by special messenger.

H.B. 1122, a bill to allow Swain County to employ attachment or garnishment and to obtain a lien for ambulance services, upon second reading.

The Chair rules the bill does not require a call of the roll.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1141, a bill to allow the Division of Motor Vehicles to use different color boarders to distinguish the age of license holders, thereby making it easier to issue duplicate licenses by mail when the photograph on the original license is a digitized image.

The bill passes its second (40–0) and third readings and is ordered enrolled.

H.B. 1172 (Committee Substitute), a bill to transfer the Rail Safety Section from the Utilities Commission to the Department of Transportation and to direct the Secretary of Transportation to study the need for continuation of the Rail Safety Inspection Program.

The Committee Substitute bill passes its second (39–0) and third readings and is ordered enrolled.

H.B. 1187, a bill to permit the local boards of education in certain counties to schedule longer school days so as to offset days lost due to inclement weather.

Without objection, the bill is taken up out of its regular order of business.

On motion of Senator Plexico, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1, by special messenger.

H.B. 1208, a bill to permit the local boards of education in certain counties to schedule longer school days so as to offset days lost due to inclement weather.

With unanimous consent, the bill is taken up out of its regular order of business.

On motion of Senator Plexico, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1, by special messenger.

With unanimous consent, the following local bills are taken up out of the regular order of business: **H.B. 1210**, **H.B. 1212**, **H.B. 1231**, **H.B. 1309**, **H.B. 1342**, **H.B. 1375**, and **H.B. 1379**:

H.B. 1210, a bill clarifying the distribution of profits from the operation of the Dare County Alcoholic Beverage Control Board.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1212, a bill to amend the Charter of the City of Greensboro with respect to settlement of claims.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1231, a bill to include the Counties of Alleghany, Surry, and Watauga among those Counties that require consent of the Board of County Commissioners before land may be condemned or acquired by a unit of local government outside the County.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1309 (Committee Substitute), a bill to add Avery County to those counties making it unlawful to remove or destroy electronic collars on dogs.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H.B. 1342, a bill to provide that the Cumberland County Board of Commissioners must fill a vacancy with the person nominated by the appropriate political party if the nomination is made on a timely basis.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1375 (Committee Substitute), a bill to modify the manner of election of the Whiteville City Board of Education.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H.B. 1379, a bill to ratify an agreement between the Iredell–Statesville Schools Board of Education and the Mooresville Graded School District Board of Education, upon second reading.

The Chair rules the bill requires a call of the roll.

The bill passes its second reading by roll–call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Cooper, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Sherron, Simpson, Soles, Speed, Warren, Webster, and Winner—44.

Voting in the negative: None.

The bill is ordered placed on the Calendar for the next legislative day, for further consideration, upon third reading.

H.B. 1401, a bill amending the Charter of the City of Fayetteville regarding zoning hearings, on today's Calendar.

With unanimous consent, on motion of Senator Edwards, the bill is taken up out of its regular order of business.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1400, a bill establishing the Harmon Field Board of Supervisors for administration of Harmon Field located in Polk County, on today's Calendar.

With unanimous consent, on motion of Senator Carpenter, the bill is taken up out of its regular order of business, and on his further motion is recommitted to the **Local Government and Regional Affairs Committee**.

RECALL FROM ENROLLING

H.B. 1375 (Committee Substitute), a bill to modify the manner of election of the Whiteville City Board of Education, ordered enrolled, earlier today.

Senator Soles offers a motion to the end the Committee Substitute bill be recalled from Enrolling for further consideration, which motion prevails, and a message is ordered sent to the Enrolling Office informing that Office of such action and requesting the return of the Committee Substitute bill.

CALENDAR *(Continued)*

H.B. 1097, a bill to permit the City of Brevard to convey certain parcels of real property to former owners or adjoining owners with or without consideration, on today's Calendar, upon third reading.

With unanimous consent, the bill is taken up out of its regular order of business.

The bill passes its third reading by roll–call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Plexico, Plyler, Rand, Sherron, Simpson, Soles, Speed, Warren, Webster, and Winner—44.

Voting in the negative: None.

The bill is ordered enrolled.

S.B. 296, a bill to provide that the laws relating to motor vehicles apply within the Lake Royale Community in Franklin and Nash Counties, on today's Calendar, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read **S.B. 296** (House Committee Substitute), a bill to provide that the laws relating to motor vehicles apply within the Lake Royale Community in Franklin and Nash Counties, subject to a finding by a majority of the freeholders in the Lake Royale Community.

With unanimous consent, the House Committee Substitute bill is taken up out of its regular order of business.

Senator Speed offers a motion the Senate fail to concur in the House Committee Substitute bill and further moves conferees not be requested, which motions prevail. The measure lies upon the table.

A message is ordered sent to the House of Representatives informing that Honorable Body of such action.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages received from the House of Representatives transmitting bills for concurrence are presented to the Senate, read, and disposed of, as follows:

S.B. 1393 (House Committee Substitute), a bill to clarify the status of certified employees of the Mecklenburg County and Catawba County Sheriffs' Offices for eligibility for benefits afforded to law enforcement officers through the North Carolina Local Governmental Employees' Retirement System, for concurrence in the House Committee Substitute bill.

On motion of Senator Rand, the rules are suspended, without objection, and the House Committee Substitute bill is placed before the Senate for immediate consideration.

The Senate concurs in the House Committee Substitute bill (39–0) and the measure is ordered enrolled.

S.B. 1244, a bill to grant the Town of Wallace a temporary exemption from the total amount of noncontiguous territory that may be annexed, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to

read **S.B. 1244** (House Committee Substitute), a bill to exclude the Wallace Airport from consideration as a satellite area in determining the total noncontiguous territory that the Town of Wallace may annex.

On motion of Senator Rand, the rules are suspended, without objection, and the House Committee Substitute bill is placed before the Senate for immediate consideration.

The Chair rules the House Committee Substitute bill not a material amendment.

The Senate concurs in the House Committee Substitute bill (39–0) and the measure is ordered enrolled.

S.B. 323, a bill to provide that observers at a precinct's voting place need not be registered voters in that precinct but shall be registered voters in the county, for concurrence in the House Committee Substitute bill No. 2, which changes the title, upon concurrence, to read **S.B. 323** (House Committee Substitute No. 2), a bill to provide that observers at a precinct's voting place need not be registered voters in that precinct but shall be registered voters in the county and to amend the law governing access to voter registration information.

On motion of Senator Rand, the rules are suspended, without objection, and House Committee Substitute bill No. 2 is placed before the Senate for immediate consideration.

The Chair rules the House Committee Substitute bill No. 2 not a material amendment.

The Senate concurs in the House Committee Substitute bill No. 2 (43–0) and the measure is ordered enrolled.

S.B. 208 (House Committee Substitute), a bill to make technical and clarifying amendments as recommended by the Sentencing Commission, for concurrence in the House Committee Substitute bill.

On motion of Senator Rand, the rules are suspended, without objection, and the House Committee Substitute bill is placed before the Senate for immediate consideration.

Senator Rand offers a motion to the end the House Committee Substitute bill be recommitted to the **Judiciary II/Election Laws Committee**, which motion prevails. The Chair orders the measure recommitted to the **Judiciary II/Election Laws Committee.**

CALENDAR (*Unfinished Business Continued*)
(*June 20 Supplemental Calendar*)

S.B. 709, a bill to validate certain actions of Columbus County Water and Sewer District I, for concurrence in the House Committee Substitute bill No. 3, which changes the title, upon concurrence, to read **S.B. 709** (House Committee Substitute No. 3), a bill to allow the consolidation of human services by counties, to make provisions relative to the State and federal funding streams for consolidated human services functions, to provide that the membership of a consolidated human services board shall be appointed solely by the Board of County Commissioners, and to change the status of county employees of a consolidated county human services agency with regard to their coverage under the State Personnel Act, placed earlier on the Supplemental Calendar for today.

On motion of Senator Kincaid, with unanimous consent, House Committee Substitute bill No. 3 is taken up out of its regular order of business.

The Senate concurs in the House Committee Substitute bill No. 3 (41–0) and measure is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and a resolution properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

S.B. 838, an act to exempt the Young Men's Christian Association and the Young Women's Christian Association from the licensure requirements of the North Carolina Charitable Solicitations Act. (Ch. 650)

S.B. 1174, an act to allow Rockingham County to acquire property for use by its County Board of Education and to clarify the filing date for members of the Rockingham County Consolidated Board of Education. (Ch. 651)

S.B. 1270, an act to authorize the Department of Transportation to establish speed limits up to seventy miles per hour on designated parts of controlled access highways and to provide for suspension of the license of a person driving in excess of 80 miles per hour. (Ch. 652)

S.B. 1286, an act to expand the membership of the Forestry Council of the Department of Environment, Health, and Natural Resources and redefine its responsibilities, as recommended by the Environmental Review Commission. (Ch. 653)

S.B. 282, an act to allow the City of Rockingham to make satellite annexations of less than an entire subdivision when the property is developed for commercial or industrial use. (Ch. 654)

S.B. 580, an act to amend the Charter of the City of Albemarle concerning assessments for street improvements. (Ch. 655)

S.B. 598 (Committee Substitute), an act to create fire districts in Scotland County. (Ch. 656)

S.B. 662 (Committee Substitute), an act to allow Richmond County to create fire protection districts in which fire protection is funded by fees rather than taxes. (Ch. 657)

S.B. 1150, an act to conform the law governing setoffs with the law governing the recovery of premiums owed insurers as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues. (Ch. 658)

S.B. 1151, an act to lessen the requirement of insurance companies to maintain trust accounts or obtain letters of credit or guaranty bonds as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues. (Ch. 659)

S.B. 1389, an act to deannex and detach a small area of land from the corporate limits of the City of Albemarle, North Carolina. (Ch. 660)

S.B. 1375 (Committee Substitute), an act to modify the manner of election of the Whiteville City Board of Education. (Ch. 661)

S.B. 1173 (Committee Substitute), an act to permit the local boards of education of various counties to schedule longer school days so as to offset days lost due to inclement weather. (Ch. 662)

H.B. 1256, an act to provide staggered terms for the governing board of the Town of Spruce Pine, and concerning the voting power of the Mayor. (Ch. 663)

H.B. 1147, an act to update the reference to the Internal Revenue Code used in defining and determining certain State tax provisions. (Ch. 664)

S.J.R. 1495, a joint resolution honoring the life and memory of Governor John Motley Morehead on the Two Hundredth Anniversary of his birth. (Res. 26)

CALENDAR *(Unfinished Business Continued)*
(June 20 Supplemental Calendar)

H.B. 1182, a bill to delete the unnecessary "L" endorsement for a commercial drivers license.

The bill passes its second (41–0) and third readings and is ordered enrolled.

H.B. 1162 (Committee Substitute), a bill to prohibit the use of ineligible voter's testimony about how the vote was cast; to give the person protesting the election the right to call for a new election when the number of ineligible voters exceeds the margin of victory; and to make related changes.

The Committee Substitute bill passes its second (42–0) and third readings and is ordered enrolled.

S.B. 1336 (Committee Substitute), a bill to provide that it is a Class F felony to abduct a child from any person, agency, or institution lawfully entitled to the child's custody as recommended by the North Carolina Child Fatality Task Force.

With unanimous consent, on motion of Senator Davis, the Committee Substitute bill is recommitted to the **Judiciary II/Election Laws Committee**.

COMMITTEE REFERRAL RECALL

H.B. 1301 (Committee Substitute), a bill to provide that it is a Class F felony to abduct a child from any person, agency, or institution lawfully entitled to the child's custody as recommended by the North Carolina Child Fatality Task Force, received from the House of Representatives and referred to the **Judiciary II/ Election Laws Committee** earlier today.

Pursuant to Rule 47(b), Senator Gulley offers a motion the Committee Substitute bill be taken from the **Judiciary II/Election Laws Committee** and placed before the Senate for immediate consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the Committee Substitute bill recalled from the **Judiciary II/ Election Laws Committee** and places it before the Senate for immediate consideration upon its passage.

Subsequently, the Chair orders, without objection, the Committee Substitute bill temporarily displaced.

CALENDAR *(Unfinished Business Continued)*
(June 20 Supplemental Calendar)

H.B. 1083, a bill to require first–class mail notice to all property owners in an area proposed for addition to a municipality's extraterritorial planning and zoning jurisdiction, proportional representation for residents of the ETJ on the planning agency, and a hearing before county appointment of representation to the planning agency, which title changes, upon concurrence to read **H.B. 1083** (Senate Committee Substitute), a bill to require first–class mail notice to all property owners in an area proposed for addition to a municipality's extraterritorial planning and zoning jurisdiction, proportional representation for residents of the ETJ on the planning agency, and a hearing before county appointment of representation to the planning agency, to prohibit a municipality from claiming for lost tax revenue during the pendency of an appeal of annexation and to amend the statute of limitations for appealing the validity of a zoning ordinance.

The Senate Committee Substitute bill passes its second (45–0) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill by special messenger.

H.B. 1301 (Committee Substitute), a bill to provide that it is a Class F felony to abduct a child from any person, agency, or institution lawfully entitled to the child's custody as recommended by the North Carolina Child Fatality Task Force, temporarily displaced earlier.

Following debate, on motion of Senator Winner, the Chair orders, without objection, the Committee Substitute bill temporarily displaced.

H.B. 1094, a bill to prohibit the imposition of a failure to pay penalty when additional tax due is paid at the time an amended return is filed or within thirty days after the additional tax was assessed.

On motion of Senator Kerr, the Chair orders, without objection, the bill temporarily displaced.

H.B. 1166, a bill to modify the required disclosure statement and eliminate duplicative reporting requirements under the Charitable Solicitations Act and to modify and clarify requirements for nongovernmental entities' accountability for State grants.

Senator Cooper offers Amendment No. 1 which is adopted (43–0).

The bill, as amended, passes its second (44–1) and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1, by special messenger.

H.B. 1094, a bill to prohibit the imposition of a failure to pay penalty when additional tax due is paid at the time an amended return is filed or within thirty days after the additional tax was assessed, temporarily displaced earlier.

The bill passes its second (47–0) and third readings and is ordered enrolled.

A bill standing on the general orders for today is taken up and disposed of, as follows:

H.B. 1272, a bill to remove certain described property from the corporate limits of the City of Statesville, placed earlier on today's Calendar, upon second reading.

The Chair rules the bill does not require a call of the roll.

The bill passes its second (43–0) and third readings and is ordered enrolled.

Bills ordered placed on the Supplemental Calendar for today, June 21, are taken up and disposed of, as follows:

POINT OF ORDER

Senator Webster rises to a point of order under Resolution 15, Section 1(4), of the 1995 Session Laws as to the eligibility of a local bill if an amendment creates a controversial local bill.

The Chair rules local measures in controversy are ineligible for consideration upon passage pursuant to Resolution 15.

CONFERENCE REPORT

H.B. 955 (Senate Committee Substitute)

Senator Gulley for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 955**, a bill to increase educational opportunity by authorizing the creation and funding of charter schools, which are deregulated schools under public control, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 955** (Senate Committee Substitute), a bill to increase educational opportunity by authorizing the creation and funding of charter schools, which are deregulated schools under public control, submits the following report for adoption:

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 955, A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE CREATION AND FUNDING OF CHARTER SCHOOLS, WHICH ARE DEREGULATED SCHOOLS UNDER PUBLIC CONTROL, Senate Education/Higher Education Committee Substitute Adopted 6/1/95, submit the following report:

The Senate and House agree to the following amendment to Senate Education/Higher Education Committee Substitute adopted 6/1/95, and the House concurs in the Senate Education/Higher Education Committee Substitute as amended:

Delete the entire Senate Education/Higher Education Committee Substitute and substitute the attached Proposed Conference Committee Substitute H955–PCS6254–RH001.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: June _____, 1996.

S/Wib P. Gulley	S/Steve Wood
S/Fletcher L. Hartsell, Jr.	S/Rick L. Eddins
S/J. Clark Plexico	S/William McMahan
S/Leslie Winner	S/Larry R. Linney
Conferees for the Senate	*Conferees for the House of Representatives*

The text of the attached proposed Conference Committee Substitute bill 6254 is as follows:

A BILL TO BE ENTITLED

AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE CREATION AND FUNDING OF CHARTER SCHOOLS, WHICH ARE DEREGULATED SCHOOLS UNDER PUBLIC CONTROL.

The General Assembly of North Carolina enacts:

Section 1. This act shall be known as the "Charter Schools Act of 1996".

Sec. 2. Article 16 of Chapter 115C of the General Statutes is amended by adding a new Part to read:

"Part 6A. Charter Schools.

"§ 115C-238.29A. Purpose.

The purpose of this Part is to authorize a system of charter schools to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently of existing schools, as a method to accomplish all of the following:

(1) Improve student learning;

(2) Increase learning opportunities for all students, with special emphasis on expanded learning experiences for students who are identified as at risk of academic failure or academically gifted;

(3) Encourage the use of different and innovative teaching methods;

(4) Create new professional opportunities for teachers, including the opportunities to be responsible for the learning program at the school site;

(5) Provide parents and students with expanded choices in the types of educational opportunities that are available within the public school system; and

(6) Hold the schools established under this Part accountable for meeting measurable student achievement results, and provide the schools with a method to change from rule-based to performance-based accountability systems.

"§ 115C-238.29B. Eligible applicants; contents of applications; submission of applications for approval.

(a) Any person, group of persons, or nonprofit corporation seeking to establish a charter school within a local school administrative unit may apply to establish a charter school on behalf of a private nonprofit corporation. If the applicant seeks

to convert a public school to a charter school, the application shall include a statement signed by a majority of the teachers and instructional support personnel currently employed at the school indicating that they favor the conversion and evidence that a significant number of parents of children enrolled in the school favor conversion.

(b) The application shall contain at least the following information:

(1) A description of a program that implements one or more of the purposes in G.S. 115C-238.29A.

(2) A description of student achievement goals for the school's educational program and the method of demonstrating that students have attained the skills and knowledge specified for those student achievement goals.

(3) The governance structure of the school including the process to be followed by the school to ensure parental involvement.

(4) Admission policies and procedures.

(5) A proposed budget for the school and evidence that the plan for the school is economically sound.

(6) Requirements and procedures for program and financial audits.

(7) A description of how the school will comply with G.S. 115C-238.29F.

(8) Types and amounts of insurance coverage, including bonding insurance for the principal officers of the school, to be obtained by the charter school.

(9) The term of the contract.

(10) The qualifications required for individuals employed by the school.

(11) The procedures by which students can be excluded from the charter school and returned to a public school. Notwithstanding any law to the contrary, any local board may refuse to admit any student who is suspended or expelled from a charter school due to actions that would lead to suspension or expulsion from a public school under G.S. 115C-391 until the period of suspension or expulsion has expired.

(12) The number of students to be served, which number shall be at least 65, and the minimum number of teachers to be employed at the school, which number shall be at least three. However, the charter school may serve fewer than 65 students or employ fewer than three teachers if the application contains a compelling reason, such as the school would serve a geographically remote and small student population.

(13) Information regarding the facilities to be used by the school and the manner in which administrative services of the school are to be provided.

(14) A description of whether the school will operate independently of the local board of education or whether it agrees to be subject to some supervision and control of its administrative operations by the local board of education. In the event the charter school elects to operate independently of the local board of education, the application must specify which employee benefits will be offered to its employees and how the benefits will be funded.

(c) An applicant shall submit the application to a chartering entity for preliminary approval. A chartering entity may be:

(1) The local board of education of the local school administrative unit in which the charter school will be located;

(2) The board of trustees of a constituent institution of The University of North Carolina, so long as the constituent institution is involved in the planning, operation, or evaluation of the charter school; or

(3) The State Board of Education.

Regardless of which chartering entity receives the application for preliminary approval, the State Board of Education shall have final approval of the charter school.

"§ 115C-238.29C. Preliminary approval of applications for charter schools.

(a) The chartering entity that receives a request for preliminary approval of a charter school shall act on each request received prior to November 1 of a calendar year by February 1 of the next calendar year.

(b) The chartering entity shall give preliminary approval to the application if the chartering entity determines that (i) information contained in the application meets the requirements set out in this Part or adopted by the State Board of Education, (ii) the applicant has the ability to operate the school and would be likely to operate the school in an educationally and economically sound manner, and (iii) granting the application would improve student learning and would achieve one of the other purposes set out in G.S. 115C-238.29A. In reviewing applications for the establishment of charter schools within a local school administrative unit, the chartering entity is encouraged to give preference to applications that demonstrate the capability to provide comprehensive learning experiences to students identified by the applicants as at risk of academic failure. If the chartering entity approves more than one application for charter schools located in a local school administrative unit, the chartering entity may state its order of preference among the applications that it approves.

(c) If a chartering entity other than the State Board disapproves an application, the applicant may appeal to the State Board of Education prior to February 15. The State Board shall consider the appeal at the same time it is considering final approval in accordance with G.S. 115C-238.29D. The State Board shall give preliminary approval of the application if it finds that the chartering entity acted in an arbitrary or capricious manner in disapproving the application, failed to consider appropriately the application, or failed to act within the time set out in G.S. 115C-238.29C.

If the chartering entity, the State Board of Education, or both, disapprove an application, the applicant may modify the application and reapply subject to the application deadline contained in subsection (a) of this section.

"§ 115C-238.29D. Final approval of applications for charter schools.

(a) The State Board shall grant final approval of an application if it finds that the application meets the requirements set out in this Part or adopted by the State Board of Education and that granting the application would achieve one or more of the purposes set out in G.S. 115C-238.29A. The State Board shall act by March 15 of a calendar year on all applications and appeals it receives prior to February 15 of that calendar year.

(b) The State Board shall authorize no more than five charter schools per year in one local school administrative unit. The State Board shall authorize no more than 100 charter schools statewide. If more than five charter schools in one local school administrative unit or more than 100 schools statewide meet the standards for final approval, the State Board shall give priority to applications that are most

likely to further State education policies and to strengthen the educational program offered in the local school administrative units in which they are located.

(c) The State Board of Education may authorize a school before the applicant has secured its space, equipment, facilities, and personnel if the applicant indicates the authority is necessary for it to raise working capital. The State Board shall not allocate any funds to the school until the school has obtained space.

(d) The State Board of Education may grant a charter for a period not to exceed five years and may renew the charter upon the request of the chartering entity for subsequent periods not to exceed five years each. A material revision of the provisions of a charter application shall be made only upon the approval of the State Board of Education.

"§ 115C-238.29E. Charter school operation.

(a) A charter school that is approved by the State shall be a public school within the local school administrative unit in which it is located. It shall be accountable to the local board of education for purposes of ensuring compliance with applicable laws and the provisions of its charter.

(b) A charter school shall be operated by a private nonprofit corporation that shall have received federal tax-exempt status no later than 24 months following final approval of the application.

(c) A charter school shall operate under a written contract signed by the local board of education and the applicant. The contract shall incorporate at a minimum the information provided in the application, as modified during the charter approval process, and any terms and conditions imposed on the charter school by the State Board of Education.

If the local board of education does not sign the contract, the State Board may sign on behalf of the local board.

(d) The board of directors of the charter school shall decide matters related to the operation of the school, including budgeting, curriculum, and operating procedures.

(e) A charter school shall be located in the local school administrative unit with which it signed the contract. Its specific location shall not be prescribed or limited by a local board or other authority except a zoning authority. The school may lease space from a local board of education, from a public or private nonsectarian organization, or as is otherwise lawful in the local school administrative unit in which the charter school is located.

(f) Except as provided in this Part and pursuant to the provisions of its contract, a charter school is exempt from statutes and rules applicable to a local board of education or local school administrative unit.

"§ 115C-238.29F. General requirements.

(a) Health and Safety Standards. — A charter school shall meet the same health and safety requirements required of a local school administrative unit.

(b) School Nonsectarian. — A charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations and shall not charge tuition. A charter school shall not be affiliated with a nonpublic sectarian school or a religious institution.

(c) Civil Liability and Insurance. —

(1) The board of directors of a charter school may sue and be sued. The board of directors shall obtain at least the amount of and types of insurance required by the contract.

(2) No civil liability shall attach to any chartering entity, to the State Board of Education, or to any of their members or employees, individually or collectively, for any acts or omissions of the charter school. In the event a charter school has not elected total independence from the local board of education under subsection (e) of this section, the immunity established by this subsection shall be deemed to have been waived to the extent of indemnification by insurance, indemnification under Articles 31A and 31B of Chapter 143 of the General Statutes, and to the extent sovereign immunity is waived under the Tort Claims Act, as set forth in Article 31 of Chapter 143 of the General Statutes.

(d) Instructional Program. —

(1) The school shall provide instruction each year for at least 180 days.

(2) The school shall design its programs to at least meet the student performance standards adopted by the State Board of Education and the student performance standards contained in the contract with the local board of education.

(3) A charter school shall conduct the student assessments required for charter schools by the State Board of Education.

(4) The school shall comply with policies adopted by the State Board of Education for charter schools relating to the education of children with special needs.

(5) The school is subject to and shall comply with Article 27 of Chapter 115C of the General Statutes; except that a charter school may also exclude a student from the charter school and return that student to another school in the local school administrative unit in accordance with the terms of its contract.

(e) Employees. —

(1) An employee of a charter school is not an employee of the local school administrative unit in which the charter school is located. The charter school's board of directors shall employ and contract with necessary teachers to perform the particular service for which they are employed in the school; at least seventy-five percent (75%) of these teachers in grades kindergarten through five, at least fifty percent (50%) of these teachers in grades six through eight, and at least fifty percent (50%) of these teachers in grades nine through 12 shall hold teacher certificates. The board also may employ necessary employees who are not required to hold teacher certificates to perform duties other than teaching and may contract for other services. The board may discharge teachers and noncertificated employees.

(2) No local board of education shall require any employee of the local school administrative unit to be employed in a charter school.

(3) If a teacher employed by a local school administrative unit makes a written request for an extended leave of absence to teach at a charter school, the local school administrative unit shall grant the leave. The local school administrative unit shall grant a leave for any number of years requested by the teacher, shall extend the leave for any number of years requested by the teacher, and shall extend the leave at the teacher's request. The local school administrative unit may require that the request for a leave or extension of leave

be made up to 90 days before the teacher would otherwise have to report for duty. A teacher who has career status under G.S. 115C-325 prior to receiving an extended leave of absence to teach at a charter school may return to a public school in the local school administrative unit with career status at the end of the leave of absence or upon the end of employment at the charter school if an appropriate position is available. If an appropriate position is unavailable, the teacher's name shall be placed on a list of available teachers and that teacher shall have priority on all positions for which that teacher is qualified in accordance with G.S. 115C-325(e)(2).

(4) In the event a charter school, in its application, elects total independence from the local board of education, its employees shall not be deemed to be employees of the local school administrative unit and shall not be entitled to any State-funded employee benefits, including membership in the North Carolina Teachers' and State Employees' Retirement System or the Teachers' and State Employees' Comprehensive Major Medical Plan. In the event a charter school, in its application, agrees to be subject to some supervision and control of its administrative operations by the local board of education, the employees of the charter school will be deemed employees of the local school administrative unit for purposes of providing certain State-funded employee benefits, including membership in the Teachers' and State Employees' Retirement System and the Teachers' and State Employees' Comprehensive Major Medical Plan. The Board of Trustees of the Teachers' and State Employees' Retirement System, in consultation with the State Board of Education, shall determine the degree of supervision and control necessary to qualify the employees of the applicant for membership in the Retirement System. In no event shall anything contained in this Part require the North Carolina Teachers' and State Employees' Retirement System to accept employees of a private employer as members or participants of the System.

(f) Accountability. —

(1) The school is subject to the financial audits, the audit procedures, and the audit requirements adopted by the State Board of Education for charter schools.

(2) The school shall comply with the reporting requirements established by the State Board of Education in the Uniform Education Reporting System.

(3) The school shall report at least annually to the chartering entity and the State Board of Education the information required by the chartering entity or the State Board.

(g) Admission Requirements. —

(1) Any child who is qualified under the laws of this State for admission to a public school is qualified for admission to a charter school.

(2) No local board of education shall require any student enrolled in the local school administrative unit to attend a charter school.

(3) Admission to a charter school shall not be determined according to the school attendance area in which a student resides, except that

any local school administrative unit in which a public school converts to a charter school shall give admission preference to students who reside within the former attendance area of that school.

(4) Admission to a charter school shall not be determined according to the local school administrative unit in which a student resides, except that the provisions of G.S. 115C–366(d) shall apply to a student who wishes to attend a charter school in a county other than the county in which the student resides.

(5) A charter school shall not discriminate against any student on the basis of ethnicity, national origin, gender, or disability. Except as otherwise provided by law or the mission of the school as set out in the contract, the school shall not limit admission to students on the basis of intellectual ability, measures of achievement or aptitude, athletic ability, disability, race, creed, gender, national origin, religion, or ancestry. Within one year after the charter school begins operation, the population of the school shall reasonably reflect the racial and ethnic composition of the general population residing within the local school administrative unit in which the school is located or the racial and ethnic composition of the special population that the school seeks to serve residing within the local school administrative unit in which the school is located. The school shall be subject to any court–ordered desegregation plan in effect for the local school administrative unit.

(6) The school shall enroll an eligible student who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level, or building. In this case, students shall be accepted by lot.

(7) Notwithstanding any law to the contrary, a charter school may refuse admission to any student who has been expelled or suspended from a public school under G.S. 115C–391 until the period of suspension or expulsion has expired.

(h) Transportation. — The charter school shall provide transportation for students enrolled at the school who reside in the local school administrative unit in which the school is located. The charter school may provide transportation for students enrolled at the school who reside in different local school administrative units.

(i) Assets. — Upon dissolution of the charter school or upon the nonrenewal of the charter, all assets of the charter school shall be deemed the property of the local school administrative unit in which the charter school is located.

"§ 115C–238.29G. Causes for nonrenewal or termination.

The State Board of Education, or a chartering entity subject to the approval of the State Board of Education, may terminate or not renew a contract upon any of the following grounds:

(1) Failure to meet the requirements for student performance contained in the contract;

(2) Failure to meet generally accepted standards of fiscal management;

(3) Violations of law;

(4) Material violation of any of the conditions, standards, or procedures set forth in the contract;

(5) Two-thirds of the faculty and instructional support personnel at the school request that the contract be terminated or not renewed; or

(6) Other good cause identified.

The State Board of Education shall develop and implement a process to address contractual and other grievances between a charter school and its chartering entity during the time of its charter.

"§ 115C-238.29H. State and local funds for a charter school.

(a) The State Board of Education shall allocate to each charter school (i) an amount equal to the average per pupil allocation for average daily membership from the local school administrative unit allotments in which the charter school is located for each child attending the charter school except for the allocation for children with special needs and (ii) an additional amount for each child attending the charter school who is a child with special needs.

Funds allocated by the State Board of Education shall not be used to purchase land or buildings. The school may own land and buildings it obtained through non-State sources.

(b) If a student attends a charter school, the local school administrative unit in which the child resides shall transfer to the charter school an amount equal to the per pupil local current expense appropriation to the local school administrative unit for the fiscal year.

"§ 115C-238.29I. Notice of the charter school process; review of charter schools; Charter School Advisory Committee.

(a) The State Board of Education shall distribute information announcing the availability of the charter school process described in this Part to each local school administrative unit and public postsecondary educational institution and, through press releases, to each major newspaper in the State.

(b) The State Board of Education shall report annually to the Joint Legislative Education Oversight Committee and the Joint Legislative Commission on Governmental Operations the following information:

(1) The current and projected impact of charter schools on the delivery of services by the public schools;

(2) Student academic progress in the charter schools as measured, where available, against the academic year immediately preceding the first academic year of the charter schools' operation; and

(3) Best practices resulting from charter school operations.

The State Board of Education shall base its report in part upon the annual reports submitted by the charter schools under G.S. 115C-238.29F(f)(3). To the extent possible, the State Board of Education shall present the information in disaggregated form relative to the race, gender, grade level, and economic condition of the students.

(c) The State Board of Education shall review the educational effectiveness of the charter school approach authorized under this Part and the effect of charter schools on the public schools in the local school administrative unit in which the charter schools are located and, not later than January 1, 1999, shall report to the Joint Legislative Education Oversight Committee with recommendations to modify, expand, or terminate that approach. Analysis of the reports submitted under subsection (b) of this section shall be the predominant factor in determining whether the number of charter schools shall be increased and the conditions under which any increase or continued operation shall be allowed. If the analysis indi-

cates demonstrable, substantial success, the General Assembly shall consider expanding the number of charter schools that may be established.

(d) The State Board of Education may establish a Charter School Advisory Committee to assist with the implementation of this Part. The Charter School Advisory Committee may (i) provide technical assistance to chartering entities or to potential applicants, (ii) review applications for preliminary approval, (iii) make recommendations as to whether the State Board should approve applications for charter schools, (iv) make recommendations as to whether the State Board should terminate or not renew a contract, (v) make recommendations concerning grievances between a charter school and its chartering entity, (vi) assist with the review under subsection (c) of this section, and (vii) provide any other assistance as may be required by the State Board.

"§ 115C-238.29J. Public and private assistance to charter schools.

(a) Local boards of education are authorized and encouraged to provide administrative and evaluative support to charter schools located within their local school administrative units and to contract with those charter schools to provide student transportation.

(b) Private persons and organizations are encouraged to provide funding and other assistance to the establishment or operation of charter schools.

(c) The State Board of Education shall direct the Department of Public Instruction to provide guidance and technical assistance, upon request, to applicants and potential applicants for charters."

Sec. 3. G.S. 135-40.1(6) reads as rewritten:

"(6) Employing Unit. — A North Carolina School System; Community College; State Department, Agency or Institution; Administrative Office of the Courts; or Association or Examining Board whose employees are eligible for membership in a State-Supported Retirement System. An employing unit also shall mean a charter school in accordance with Part 6A of Chapter 115C of the General Statutes whose employees are deemed to be public employees and members of a State-Supported Retirement System."

Sec. 4. Nothing in this act shall be construed to obligate the General Assembly to appropriate funds to implement this act. In addition, all charters granted and all contracts entered into under this act are subject to any future appropriations and subsequent legislative changes.

Sec. 5. This act is effective upon ratification.

The Chair rules review by the **Appropriations Committee** pursuant to Rule 42 is not required.

On motion of Senator Gulley, the Conference Report is adopted (37-8), and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

SUPPLEMENTAL CALENDAR

H.B. 1205, a bill to allow the County of Dare to acquire property for use by the County Board of Education, upon second reading.

With unanimous consent, the bill is taken up out of the regular order of business.

The Chair rules the bill does not require a call of the roll.

The bill passes its second and third readings.

Senators East, Forrester, Perdue, Webster, and Winner request to be recorded voting "no."

The bill is ordered enrolled.

H.B. 1234 (Committee Substitute), a bill to allow Martin, Person, and Vance Counties to acquire property for use by the County Board of Education, upon second reading.

With unanimous consent, the Committee Substitute bill is taken up out of its regular order of business.

The Chair rules the Committee Substitute bill does not require a call of the roll.

The Committee Substitute bill passes its second and third readings.

Senators East, Forrester, Perdue, Webster, and Winner request to be recorded voting "no."

The Committee Substitute bill is ordered enrolled.

H.B. 1313, a bill to allow Wilson County to acquire property for use by the County Board of Education, upon second reading.

With unanimous consent, the bill is taken up out of the regular order of business.

The Chair rules the bill does not require a call of the roll.

The bill passes its second and third readings.

Senators East, Forrester, Perdue, Webster, and Winner request to be recorded voting "no."

The bill is ordered enrolled.

H.B. 1314 (Committee Substitute), a bill to allow Halifax, Nash, and Wilson Counties to acquire and otherwise make available property for use by the Board of Trustees of a Community College within the county, upon second reading.

With unanimous consent, the Committee Substitute bill is taken up out of its regular order of business.

The Chair rules the Committee Substitute bill does not require a call of the roll.

The Committee Substitute bill passes its second and third readings.

Senators East, Forrester, Perdue, Webster, and Winner request to be recorded voting "no."

The Committee Substitute bill is ordered enrolled.

H.B. 1394, a bill to allow the Counties of Graham and Cherokee to acquire property for use by the County Board of Education, upon second reading.

With unanimous consent, the bill is taken up out of its regular order of business.

The Chair rules the bill does not require a call of the roll.

Senator Shaw offers Amendment No. 1 which is adopted (45–0).

The bill, as amended, passes its second and third readings.

Senators East, Forrester, Perdue, Webster, and Winner request to be recorded voting "no."

The bill, as amended, is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1, by special messenger.

H.B. 1116, a bill to abolish the Clinton–Sampson Agri–Civic Center Commission.

With unanimous consent, the bill is taken up out of the regular order of business.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1132 (Committee Substitute), a bill requiring the payment of delinquent taxes in Currituck County before the issuance by the County of subdivision approval.

With unanimous consent, the Committee Substitute bill is taken up out of its regular order of business.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H.B. 1286, a bill to prohibit hunting from the right–of–way of public roads in Northampton County.

With unanimous consent, the bill is taken up out of its regular order of business.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1357 (Committee Substitute), a bill to exempt the annexation of the Edenton Airport from the ceiling on satellite annexations by the Town of Edenton.

With unanimous consent, the Committee Substitute bill is taken up out of its regular order of business.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H.B. 1383, a bill to authorize the Town of Cerro Gordo to convey by private sale certain property to Eugene Green.

With unanimous consent, the bill is taken up out of its regular order of business.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1397, a bill authorizing Columbus County to enter into leases for terms not longer than twenty years.

With unanimous consent, the bill is taken up out of its regular order of business.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1424, a bill to add Caswell and Person Counties to those counties authorized to establish the boundaries between and among them by the use of orthophotography.

With unanimous consent, the bill is taken up out of its regular order of business.

The bill passes its second and third readings and is ordered enrolled.

S.B. 540 (House Committee Substitute), a bill to provide for election of all the members of the Rockingham City Council for four–year terms, for concurrence in the House Committee Substitute bill.

With unanimous consent, the House Committee Substitute bill is taken up out of its regular order of business.

The Senate concurs in the House Committee Substitute bill (42–0) and the measure is ordered enrolled.

S.B. 1201 (House Committee Substitute), a bill to permit the Lumberton Firemen's Supplementary Pension Fund to increase the monthly benefits to its members, for concurrence in the House Committee Substitute bill.

With unanimous consent, the House Committee Substitute bill is taken up out of its regular order of business.

The Senate concurs in the House Committee Substitute bill (44–0) and the measure is ordered enrolled.

With unanimous consent, the President grants a leave of absence for the remainder of today's Session to Senator Carpenter.

H.B. 1096, a bill to transfer responsibility for collecting the remainder of the gross premiums tax from the Department of Insurance to the Department of Revenue and to clarify related statutes, upon second reading.

With unanimous consent, the bill is taken up out of its regular order of business.

Senator Kerr rises to a point of order as to the bill requiring a call of the roll.

The Chair takes the point of order under advisement and orders, without objection, the bill temporarily displaced.

H.B. 1258, a bill to authorize the University of North Carolina to retain the net proceeds from sale of the former residence of the Chancellor of Winston–Salem State University for application toward purchase of the successive residence for the Chancellor.

With unanimous consent, the bill is taken up out of its regular order of business.

The bill passes its second (43–1) and third readings and is ordered enrolled.

H.J.R. 1451, a joint resolution authorizing the 1995 General Assembly, Regular Session 1996, to consider a joint resolution condemning arson, vandalism, and bomb threats against predominantly Black churches and supporting efforts to investigate and solve these crimes.

With unanimous consent, the joint resolution is taken up out of its regular order of business.

The joint resolution passes its second and third readings and is ordered enrolled.

With unanimous consent, the President grants a leave of absence for the remainder of today's Session to Senator Edwards.

H.J.R. 1453, a joint resolution authorizing the 1995 General Assembly, Regular Session 1996, to consider a bill to be entitled an act to raise the penalty for burning of religious structures.

With unanimous consent, the joint resolution is taken up out of its regular order of business.

The joint resolution passes its second and third readings and is ordered enrolled.

S.B. 33, a bill to give the district court concurrent jurisdiction with the superior court to accept a plea of guilty or no contest to a Class F, G, H, or I felony with the consent of the presiding district court judge, the State, and the defendant, for concurrence in the House Committee Substitute bill No. 2, which changes the title, upon concurrence, to read **S.B. 33** (House Committee Substitute No. 2), a bill to make various changes in the criminal jurisdiction of district and superior court and to make various criminal law procedural changes.

With unanimous consent, House Committee Substitute bill No. 2 is taken up out of its regular order of business.

Subsequently the Chair orders, without objection, the House Committee Substitute bill No. 2 temporarily displaced.

H.B. 1096, a bill to transfer responsibility for collecting the remainder of the gross premiums tax from the Department of Insurance to the Department of Revenue and to clarify related statutes, temporarily displaced earlier.

With unanimous consent, the bill is taken up out of its regular order of business.

The Chair rules the bill does not require a call of the roll.

Senator Rand offers Amendment No. 1 which is adopted (43–0).

The bill, as amended, passes its second (43–0) and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1, by special messenger.

RECALL FROM HOUSE OF REPRESENTATIVES

H.B. 1394, a bill to allow the Counties of Graham and Cherokee to acquire property for use by the County Board of Education, as amended, ordered sent to the House of Representatives earlier today for concurrence in the Senate Amendment.

Senator Shaw offers a motion to the end the bill, as amended, be recalled from the House of Representatives for further consideration, which motion prevails.

A message is ordered sent to the House of Representatives requesting the return of the bill, as amended.

CALENDAR *(June 21 Supplemental Calendar Continued)*

S.B. 359 (Committee Substitute), a bill to make it a felony offense to impersonate a law enforcement officer by unlawfully operating a motor vehicle with an operating blue or red light, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read **S.B. 359** (House Committee Substitute), a bill to make it a felony offense to impersonate a law enforcement officer by unlawfully operating a motor vehicle with an operating blue light, received on a message from the House of Representatives earlier today.

With unanimous consent, the House Committee Substitute bill is taken up out of its regular order of business.

The Senate concurs in the House Committee Substitute bill (39–0) and the measure is ordered enrolled.

H.B. 1301 (Committee Substitute), a bill to provide that it is a Class F felony to abduct a child from any person, agency, or institution lawfully entitled to the child's custody as recommended by the North Carolina Child Fatality Task Force, recalled from the **Judiciary II/Election Laws Committee** and temporarily displaced earlier today.

Senator Davis offers Amendment No. 1 which is adopted (41–0).

The Committee Substitute bill, as amended, passes its second (42–0) and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1, by special messenger.

COMMITTEE REFERRAL RECALL

H.B. 1164 (Committee Substitute), a bill to provide for lien rights for persons who fabricate dies, molds, forms, or patterns and who fabricate products from dies, molds, forms, or patterns, referred to the **Judiciary I/ Constitution Committee** on June 11.

Pursuant to Rule 47(b), Senator Cooper offers a motion the Committee Substitute bill be taken from the **Judiciary I/Constitution Committee** and placed before the Senate for immediate consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the Committee Substitute bill recalled from the **Judiciary I/ Constitution Committee** and places it before the Senate for immediate consideration upon its passage.

Senator Cooper offers Amendment No. 1 which is adopted (44–0).

The Committee Substitute bill, as amended, passes its second (44–0) and third readings and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1, by special messenger.

CALENDAR *(June 21 Supplemental Calendar Continued)*

S.B. 33, a bill to give the district court concurrent jurisdiction with the superior court to accept a plea of guilty or no contest to a Class F, G, H, or I felony with the consent of the presiding district court judge, the State, and the defendant, for concurrence in the House Committee Substitute bill No. 2, which changes the title, upon concurrence, to read **S.B. 33** (House Committee Substitute No. 2), a bill to make various changes in the criminal jurisdiction of district and superior court and to make various criminal law procedural changes, temporarily displaced earlier.

With unanimous consent, House Committee Substitute bill No. 2 is taken up out of its regular order of business.

Senator Ballance offers a motion to the end the House Committee Substitute bill No. 2 be re–referred to the **Appropriations Committee**, which motion prevails. The Chair orders the measure referred to the **Appropriations Committee.**

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special messages are received from the House of Representatives:

S.B. 855
(House Committee Substitute No. 2)

House of Representatives
June 21, 1996

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **SB 855**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PUBLIC HOSPITALS TO DEVELOP VARIOUS MANAGED CARE ORGANIZATIONS AND MANAGED CARE PRODUCTS WITH PROVIDERS AND INSURERS, TO AMEND THE PUBLIC RECORDS LAW, AND TO PROVIDE A HEALTH CARE PERSONNEL REGISTRY. Pursuant to your message that your Honorable Body has adopted the report of the Conferees, you may order the bill enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

The Chair orders the House Committee Substitute bill No. 2 enrolled.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

S.B. 1139
(House Committee Substitute)

House of Representatives
June 21, 1996

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **SB 1139**, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO IMPLEMENT THE STATE BOARD OF EDUCATION'S ABC'S PLAN IN ORDER TO ESTABLISH AN ACCOUNTABILITY MODEL FOR THE PUBLIC SCHOOLS TO IMPROVE STUDENT PERFORMANCE AND INCREASE LOCAL FLEXIBILITY AND CONTROL, AND TO MAKE CONFORMING CHANGES. Pursuant to your message that your Honorable Body has adopted the report of the Conferees, you may order the bill enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

The Chair orders the House Committee Substitute bill enrolled.

Special messages received from the House of Representatives transmitting bills for concurrence are presented to the Senate, read, and disposed of pursuant to the ruling of the Chair earlier today, as follows:

S.B. 534 (House Committee Substitute), a bill to amend the law regulating surety bondsmen, bail bondsmen, and runners, for concurrence in the House Committee Substitute bill.

The rules are suspended, without objection, and the House Committee Substitute bill is placed on the Supplemental Calendar for today for consideration upon concurrence.

S.B. 470, a bill to create the Good Funds Settlement Act, for concurrence in the House Committee Substitute bill, with two amendments not engrossed, which changes the title, upon concurrence, to read **S.B. 470** (House Committee Substitute), a bill to create the Good Funds Settlement Act, and to amend the definitions under the Registration Requirements Act for certain makers of mortgages and deeds of trust on residential real property.

On motion of Senator Gulley, the rules are suspended, without objection, and the House Committee Substitute bill is placed before the Senate for immediate consideration upon concurrence.

The Senate concurs in the House Committee Substitute bill (33–1) and the measure is ordered enrolled.

S.B. 833, a bill to require that vehicles making frequent stops on highways be equipped with flashing amber lights, for concurrence in House Amendment No. 1.

The rules are suspended, without objection, and the bill is placed on the Supplemental Calendar for today for consideration upon concurrence.

S.B. 859 (House Committee Substitute), a bill to amend the mental health commitment law to provide for diversion of potential Thomas S. class members to appropriate treatment, for concurrence in the House Committee Substitute bill, with House Amendment No. 1 not engrossed.

On motion of Senator Martin of Guilford, the rules are suspended, without objection, and the House Committee Substitute bill is placed before the Senate for immediate consideration.

The Chair subsequently orders, without objection, the House Committee Substitute bill temporarily displaced.

S.B. 905 (Committee Substitute), a bill to affect the membership of the State Fire and Rescue Commission, for concurrence in the House Committee Substitute bill No. 2 with House Amendments No. 1 and No. 2 not engrossed, which changes the title, upon concurrence, to read **S.B. 905** (House Committee Substitute No. 2), a bill to facilitate fire warning and supplemental fire protection systems in student housing.

Referred to **Children and Human Resources Committee.**

S.B. 1165 (Committee Substitute), a bill to allow counties to remove vehicle registration tax block upon full payment of property taxes, for concurrence in House Amendment No. 1.

The rules are suspended, without objection, and the Committee Substitute bill is placed on the Supplemental Calendar for today for consideration upon concurrence.

Special messages are received from the House of Representatives transmitting bills which are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 1093 (Committee Substitute), a bill to provide tax reform and tax relief for the citizens of North Carolina by repealing the unconstitutional corporate tax credit for North Carolina wine, repealing the unconstitutional corporate tax deduction for North Carolina dividends, revising the unconstitutional individual income tax credit for North Carolina dividends, repealing the unconstitutional tax credit for qualified business investments, and providing the Secretary of Revenue authority to improve use tax collection.

Referred to **Finance Committee.**

H.B. 1181, a bill to grant authority to the City of Lumberton to address abandoned structures in the same manner as municipalities in counties with a population of over one hundred sixty–three thousand.

The rules are suspended, without objection, and the bill is placed on the Supplemental Calendar for today for consideration it its regular order of business.

H.B. 1138 (Committee Substitute), a bill to grant additional authority to the Town of Apex to charge fees in lieu of parkland or open space dedication based on a per–unit formula and to condition site plan approval upon dedication, reservation, improvement, or payment of fees in lieu, with House Amendment No. 1 not engrossed.

The rules are suspended, without objection, and the Committee Substitute bill is placed on the Supplemental Calendar for today for consideration it its regular order of business.

H.B. 1098, a bill to provide that Cumberland County and the cities located in that County may require issuance of a building permit for the replacement and disposal of roofing.

The rules are suspended, without objection, and the bill is placed on the Supplemental Calendar for today for consideration it its regular order of business.

H.B. 1264, a bill to provide for the filing and registry of certified copies of out–of–State custody decrees and for the validation of certified copies of wills recorded without probate.

Referred to **Judiciary II/Election Laws Committee**.

H.B. 1265, a bill to make changes in the membership of the North Carolina Courts Commission.

Referred to **Judiciary II/Election Laws Committee**.

H.B. 1278, a bill recommended by the Child Fatality Task Force to improve the definition of "dependent juvenile."

Referred to **Children and Human Resources Committee.**

H.B. 1307 (Committee Substitute), a bill to add certain described property to the corporate limits of the Town of Spruce Pine, and to exempt the property from the ceiling on satellite annexations by the Town.

The rules are suspended, without objection, and the Committee Substitute bill is placed on the Supplemental Calendar for today for consideration it its regular order of business.

H.B. 1320, a bill to eliminate the requirement of certified mail notice in bond forfeiture cases.

Referred to **Judiciary II/Election Laws Committee**.

H.B. 1338, a bill to specify that one member of the Environmental Management Commission shall have employment experience in industrial air and water pollution control at an industrial manufacturing facility, as recommended by the Environmental Review Commission, with House Amendment No. 1 not engrossed.

Referred to **Agriculture/Environment/Natural Resources Committee**.

H.B. 1378, a bill to correct, set out, and clarify the boundaries of the Town of Danbury and to validate actions of the Town.

The rules are suspended, without objection, and the bill is placed on the Supplemental Calendar for today for consideration it its regular order of business.

H.B. 1390, a bill to annex a described area to the corporate limits of the Town of Mount Olive.

The rules are suspended, without objection, and the bill is placed on the Supplemental Calendar for today for consideration it its regular order of business.

H.B. 1422 (Committee Substitute), a bill to reactivate the Charter of the Town of Wilson's Mills in Johnston County.

Referred to **Finance Committee**.

ENROLLED BILLS

The Enrolling Clerk reports the following bills properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

S.B. 821 (House Committee Substitute), an act to clarify the law relating to the preneed sales of funeral merchandise. (Ch. 665)

H.B. 1102, an act to implement the recommendation of the School Capital Construction Study Commission to direct the State Board of Education and the Local Government Commission to modify their accounting and reporting systems to allow tracking of local expenditures in schools' capital outlay funds, to direct the State Board of Education to develop a uniform system for schools to develop five-year capital needs plans, and to amend the School Budget and Fiscal Control Act. (Ch. 666)

H.B. 1144 (Committee Substitute), an act to create the Butner Advisory Council and to enumerate its duties. (Ch. 667)

H.B. 1201 (Committee Substitute), an act to provide that insurers are not required to obtain written consent to rate on each policy renewal as recommended by the Legislative Research Commission's Committee on Insurance and Insurance-Related Issues. (Ch. 668)

H.B. 1202 (Committee Substitute), an act to conform the law governing small employer health benefit plans to 1995 legislation as recommended by the Legislative Research Commission's Committee on Insurance and Insurance-Related Issues and to clarify the applicability of certain medical underwriting provisions. (Ch. 669)

H.B. 1345 (Committee Substitute), an act to implement the recommendations of the Committee on Appropriations by establishing the percentage rates for the insurance regulatory charge and the public utility regulatory fee. (Ch. 670)

H.B. 1097, an act to permit the City of Brevard to convey certain parcels of real property to former owners or adjoining owners with or without consideration. (Ch. 671)

H.B. 1421, an act to provide for the election of the Board of Education of the Mount Airy City School Administrative Unit. (Ch. 672)

H.B. 1172 (Committee Substitute), an act to transfer the Rail Safety Section from the Utilities Commission to the Department of Transportation and to direct the Secretary of Transportation to study the need for continuation of the Rail Safety Inspection Program. (Ch. 673)

H.B. 1280 (Committee Substitute), an act to recodify the statute establishing liens on insurance proceeds to secure child support and to provide that such liens are subordinate to liens arising under Article 9 of Chapter 44 of the General Statutes and to other health care provider claims. (Ch. 674)

H.B. 1141, an act to allow the Division of Motor Vehicles to use different color borders to distinguish the age of license holders, thereby making it easier to issue

duplicate licenses by mail when the photograph on the original license is a digitized image. (Ch. 675)

H.B. 1122, an act to allow Swain County to employ attachment or garnishment and to obtain a lien for ambulance services. (Ch. 676)

H.B. 1328, an act to abolish the Sanford Golf Commission. (Ch. 677)

H.B. 1388, an act to amend the law regarding the City of Wilson Firemen's Supplemental Retirement Fund. (Ch. 678)

H.B. 1210, an act clarifying the distribution of profits from the operation of the Dare County Alcoholic Beverage Control Board. (Ch. 679)

H.B. 1212, an act to amend the Charter of the City of Greensboro with respect to settlement of claims. (Ch. 680)

H.B. 1231, an act to include the Counties of Alleghany, Surry, and Watauga among those Counties that require consent of the Board of County Commissioners before land may be condemned or acquired by a unit of local government outside the County. (Ch. 681)

H.B. 1309 (Committee Substitute), an act to add Avery County to those counties making it unlawful to remove or destroy electronic collars on dogs. (Ch. 682)

H.B. 1342, an act to provide that the Cumberland County Board of Commissioners must fill a vacancy with the person nominated by the appropriate political party if the nomination is made on a timely basis. (Ch. 683)

H.B. 1401, an act amending the Charter of the City of Fayetteville regarding zoning hearings. (Ch. 684)

COMMITTEE REFERRAL RECALL

H.B. 1355 (Committee Substitute), a bill to extend up to twenty years the period to repay special assessments in the City of Fayetteville, received on a message from the House of Representatives and referred to the **Local Government and Regional Affairs Committee** earlier today.

Pursuant to Rule 47(b), Senator Jordan offers a motion the Committee Substitute bill be taken from the **Local Government and Regional Affairs Committee** and placed before the Senate for immediate consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the Committee Substitute bill recalled from the **Local Government and Regional Affairs Committee** and places it before the Senate for immediate consideration upon its passage.

The Chair rules the Committee Substitute bill does not require a call of the roll.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

S.B. 33, a bill to give the district court concurrent jurisdiction with the superior court to accept a plea of guilty or no contest to a Class F, G, H, or I felony with

the consent of the presiding district court judge, the State, and the defendant, for concurrence in the House Committee Substitute bill No. 2 which changes the title, upon concurrence, to read **S.B. 33** (House Committee Substitute No. 2), a bill to make various changes in the criminal jurisdiction of district and superior court and to make various criminal law procedural changes, on motion of Senator Ballance referred to the **Appropriations Committee** earlier today.

Pursuant to Rule 47(b), Senator Odom offers a motion the House Committee Substitute bill No. 2 be taken from the **Appropriations Committee** and placed on the Supplemental Calendar for today, for consideration upon concurrence, which motions prevail with unanimous consent.

The Senate reconsiders and the Chair orders the House Committee Substitute bill No. 2 recalled from the **Appropriations Committee** and places it on the Supplemental Calendar for today, for further consideration upon concurrence.

CALENDAR *(June 21 Supplemental Calendar Continued)*

S.B. 833, a bill to require that vehicles making frequent stops on highways be equipped with flashing amber lights, received from the House of Representatives earlier today for concurrence in House Amendment No. 1.

The Senate concurs in House Amendment No. 1 (42–2) and the bill is ordered enrolled.

S.B. 33, a bill to give the district court concurrent jurisdiction with the superior court to accept a plea of guilty or no contest to a Class F, G, H, or I felony with the consent of the presiding district court judge, the State, and the defendant, for concurrence in the House Committee Substitute bill No. 2, which changes the title, upon concurrence, to read **S.B. 33** (House Committee Substitute No. 2), a bill to make various changes in the criminal jurisdiction of district and superior court and to make various criminal law procedural changes, recalled from the **Appropriations Committee** earlier today.

The Chair orders, without objection, the House Committee Substitute bill No. 2 temporarily displaced.

WITHDRAWAL FROM CALENDAR

H.B. 1138 (Committee Substitute), a bill to grant additional authority to the Town of Apex to charge fees in lieu of parkland or open space dedication based on a per–unit formula and to condition site plan approval upon dedication, reservation, improvement, or payment of fees in lieu, received from the House of Representatives and placed on the Supplemental Calendar earlier today.

With unanimous consent, the Committee Substitute bill is taken up out of the regular order of business.

Senator Jordan offers a motion the Committee Substitute bill be taken from the Supplemental Calendar for today and re–referred to the **Finance Committee,** which motions prevail with unanimous consent.

The Senate reconsiders its previous action and the Chair orders the Committee Substitute bill taken from the Supplemental Calendar for today and re–refers the measure to the **Finance Committee.**

Pursuant to Rule 47(b), Senator Sherron offers a motion the Committee Substitute bill be taken from the **Finance Committee** and placed before the Senate

for immediate consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the Committee Substitute bill recalled from the **Finance Committee** and places it before the Senate for immediate consideration upon its second reading.

The Chair rules the Committee Substitute bill does not require a call of the roll.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

CALENDAR *(June 21 Supplemental Calendar Continued)*

S.B. 534 (House Committee Substitute), a bill to amend the law regulating surety bondsmen, bail bondsmen, and runners, received from the House of Representatives earlier today for concurrence in the House Committee Substitute bill.

With unanimous consent, on motion of Senator Parnell, the House Committee Substitute bill is taken up out of its regular order of business.

The Senate concurs in the House Committee Substitute bill (40–0) and the measure is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following resolutions properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

H.J.R. 1451, a joint resolution authorizing the 1995 General Assembly, Regular Session 1996, to consider a joint resolution condemning arson, vandalism, and bomb threats against predominantly Black churches and supporting efforts to investigate and solve these crimes. (Res. 27)

H.J.R. 1453, a joint resolution authorizing the 1995 General Assembly, Regular Session 1996, to consider a bill to be entitled an act to raise the penalty for burning of religious structures. (Res. 28)

CALENDAR *(June 21 Supplemental Calendar Continued)*

S.B. 33, a bill to give the district court concurrent jurisdiction with the superior court to accept a plea of guilty or no contest to a Class F, G, H, or I felony with the consent of the presiding district court judge, the State, and the defendant, for concurrence in the House Committee Substitute bill No. 2, which changes the title, upon concurrence, to read **S.B. 33** (House Committee Substitute No. 2), a bill to make various changes in the criminal jurisdiction of district and superior court and to make various criminal law procedural changes, temporarily displaced earlier.

The Senate concurs in the House Committee Substitute bill No. 2 (43–0) and the measure is ordered enrolled.

With unanimous consent, the Chair declares the Senate in recess for one hour.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

CALENDAR *(June 21 Supplemental Calendar Continued)*

S.B. 859 (House Committee Substitute), a bill to amend the mental health commitment law to provide for diversion of potential Thomas S. class members to appropriate treatment, for concurrence in the House Committee Substitute bill, received from the House of Representatives and temporarily displaced earlier today.

On motion of Senator Martin of Guilford, the Chair orders, without objection, the House Committee Substitute bill temporarily displaced.

RECALL FROM ENROLLING

H.B. 1413, a bill to allow Mecklenburg County to acquire property for a magnet technical high school for use by its County Board of Education, ordered enrolled earlier today.

Senator Winner offers a motion to the end the bill be recalled a second time from the Enrolling Office for further consideration, which motion prevails.

The Enrolling Clerk returns the bill and the President lays the bill before the Senate.

Senator Winner offers a motion that the vote by which the bill passed its third reading be reconsidered, which motion prevails, and the question becomes the passage of the bill upon its third reading.

Senator Shaw offers Amendment No. 1 which is adopted (43–0).

The bill, as amended, passes its third reading (43–0) and is ordered sent to the House of Representatives, for concurrence in Senate Amendment No. 1, by special messenger.

CALENDAR *(June 21 Supplemental Calendar Continued)*

S.B. 859 (House Committee Substitute), a bill to amend the mental health commitment law to provide for diversion of potential Thomas S. class members to appropriate treatment, for concurrence in the House Committee Substitute bill, temporarily displaced earlier today.

The Senate concurs in the House Committee Substitute bill (42–0) and the measure is ordered enrolled.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 955 House of Representatives
(Senate Committee Substitute) June 21, 1996

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **HB 955**, A BILL TO BE ENTITLED AN ACT TO INCREASE EDUCATIONAL OPPORTUNITY BY AUTHORIZING THE CREATION AND FUNDING OF CHARTER SCHOOLS, WHICH ARE DEREGULATED SCHOOLS UNDER PUBLIC CONTROL. Pursuant to your message that your Honorable Body has adopted the

report of the Conferees, we have ordered the bill enrolled.

Respectfully,
S/Denise Weeks
Principal Clerk

A special message received from House of Representatives transmitting a bill for concurrence is presented to the Senate, read, and disposed of, as follows:

S.B. 1301 (Committee Substitute), a bill to make various technical amendments to the General Statutes as recommended by the General Statutes Commission and to make other technical corrections to the General Statutes, for concurrence in House Amendments No. 1, No. 2, No. 3, and No. 4.

On motion of Senator Hartsell, the rules are suspended, without objection, and the Committee Substitute bill is placed before the Senate for immediate consideration upon concurrence.

The Senate concurs in House Amendments No. 1, No. 2, No. 3, and No. 4 (43–0) and the Committee Substitute bill is ordered enrolled.

CALENDAR *(June 21 Supplemental Calendar Continued)*

The following bills received on a message from the House of Representatives earlier today are taken up out of their regular order of business and disposed of, as follows:

S.B. 1165 (Committee Substitute), a bill to allow counties to remove vehicle registration tax block upon full payment of property taxes, for concurrence in House Amendment No. 1.

The Senate concurs in House Amendment No. 1 (43–0) and the Committee Substitute bill is ordered enrolled.

H.B. 1098, a bill to provide that Cumberland County and the cities located in that County may require issuance of a building permit for the replacement and disposal of roofing, upon second reading.

The Chair rules the bill does not require a call of the roll.

The bill passes its second and third readings and is ordered enrolled.

H.B. 1181, a bill to grant authority to the City of Lumberton to address abandoned structures in the same manner as municipalities in counties with a population of over one hundred sixty–three thousand.

The bill passes its second and third readings and is ordered enrolled.

PERSONAL PRIVILEGE

Senator Basnight, President *Pro Tempore*, rises to a point of personal privilege. With unanimous consent, on motion of Senator Soles, the remarks of Senator Basnight are spread upon the Journal, as follows:

By Senator Basnight:

"Mr. President and Members of the Senate, I want to thank some long–term friends, long–time friends and people who have been with this Body and a part of

our family; some for a short period of time and some for longer periods. From Dan Simpson and Senator Parnell, or Senator Simpson and Senator Parnell up to our younger Members of Hobbs and possibly, to some extent, Blackmon, and I speak today—tonight, to say farewell to Senators Blackmon, Edwards, Hobbs, Parnell, Sherron, Simpson, and Smith. They've been special to all of us in a number of different ways. They've all contributed greatly in their own field, given of their own knowledge, of their own time to speak to the various bills that we've all been a part of. We all understand that none of us independently and alone by ourselves succeed in passing and being a part of a Body to see that the passage is one that serves this State includes all of us. I've sat here and watched and learned from those who were here before me and even those who came at some later point in time of this group of very, very special Senators. I want to thank each and every one of you for your service. I hope that many of you can come back one day, hopefully, if you so desire. But if not, I do as behalf—on behalf of this Senate, as its President *Pro Tem*, thank you for those contributions and God send in all your endeavors."

The Senate acknowledges Senator Blackmon, Senator Edwards, Senator Hobbs, Senator Parnell, Senator Sherron, Senator Simpson, and Senator Smith with a prolonged standing ovation.

CALENDAR *(June 21 Supplemental Calendar Continued)*

H.B. 1211 (Committee Substitute), a bill to revise and consolidate the Charter of the Town of Kill Devil Hills, upon second reading.

With unanimous consent, the Committee Substitute bill is taken up out of its regular order of business.

The Chair rules the Committee Substitute bill does not require a call of the roll.

The Committee Substitute bill passes its second and third readings and is ordered enrolled.

H.B. 1366, a bill to revise and consolidate the Charter of the City of Washington, upon second reading.

With unanimous consent, the bill is taken up out of its regular order of business.

The Chair rules the bill does not require a call of the roll.

The bill passes its second and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

S.B. 1377, an act establishing the Harmon Field Board of Supervisors for administration of Harmon Field located in Polk County. (Ch. 685)

S.B. 1411, an act to authorize the construction and the financing, without appropriations from the General Fund, of certain capital improvements projects of the constituent institutions of the University of North Carolina and the University of North Carolina Hospitals at Chapel Hill. (Ch. 686)

S.B. 507, an act to amend the Charter of the City of Durham to permit the City Council to specially assess benefited property for the cost of extending water and

sewer lines to property located outside of the city limits when requested by the Board of Commissioners of Durham County without the necessity of a petition for such improvements being submitted. (Ch. 687)

S.B. 323 (House Committee Substitute No. 2), an act to provide that observers at a precinct's voting place need not be registered voters in that precinct but shall be registered voters in the county and to amend the law governing access to voter registration information. (Ch. 688)

S.B. 684, an act amending the Charter of Durham to authorize the making of emergency repairs to nonresidential buildings. (Ch. 689)

S.B. 709 (House Committee Substitute No. 3), an act to allow the consolidation of human services by counties, to make provisions relative to the State and federal funding streams for consolidated human services functions, to provide that the membership of a consolidated human services board shall be appointed solely by the Board of County Commissioners, and to change the status of county employees of a consolidated county human services agency with regard to their coverage under the State Personnel Act. (Ch. 690)

S.B. 1179, an act to provide a grace period for military personnel to list and pay property taxes after deployment in connection with Operation Joint Endeavor. (Ch. 691)

S.B. 1244 (House Committee Substitute), an act to exclude the Wallace Airport from consideration as a satellite area in determining the total noncontiguous territory that the Town of Wallace may annex. (Ch. 692)

S.B. 1393 (House Committee Substitute), an act to clarify the status of certified employees of the Mecklenburg County and Catawba County Sheriffs' Offices for eligibility for benefits afforded to law enforcement officers through the North Carolina Local Governmental Employees' Retirement System. (Ch. 693)

H.B. 1162 (Committee Substitute), an act to prohibit the use of ineligible voter's testimony about how the vote was cast; to give the person protesting the election the right to call for a new election when the number of ineligible voters exceeds the margin of victory; and to make related changes. (Ch. 694)

H.B. 1182, an act to delete the unnecessary "L" endorsement for a commercial drivers license. (Ch. 695)

H.B. 1094, an act to prohibit the imposition of a failure to pay penalty when additional tax due is paid at the time an amended return is filed or within thirty days after the additional tax was assessed. (Ch. 696)

H.B. 1272, an act to remove certain described property from the corporate limits of the City of Statesville. (Ch. 697)

S.B. 540 (House Committee Substitute), an act to provide for election of all the members of the Rockingham City Council for four–year terms. (Ch. 698)

S.B. 1201 (House Committee Substitute), an act to permit the Lumberton Firemen's Supplementary Pension Fund to increase the monthly benefits to its members. (Ch. 699)

H.B. 1116, an act to abolish the Clinton–Sampson Agri–Civic Center Commission. (Ch. 700)

H.B. 1132 (Committee Substitute), an act requiring the payment of delinquent taxes in Currituck County before the issuance by the County of subdivision approval. (Ch. 701)

H.B. 1205, an act to allow the County of Dare to acquire property for use by the County Board of Education. (Ch. 702)

H.B. 1234 (Committee Substitute), an act to allow Martin, Person, and Vance Counties to acquire property for use by the County Board of Education. (Ch. 703)

H.B. 1286, an act to prohibit hunting from the right–of–way of public roads in Northampton County. (Ch. 704)

H.B. 1313, an act to allow Wilson County to acquire property for use by the County Board of Education. (Ch. 705)

H.B. 1314 (Committee Substitute), an act to allow Halifax, Nash, and Wilson Counties to acquire and otherwise make available property for use by the Board of Trustees of a Community College within the county. (Ch. 706)

H.B. 1357 (Committee Substitute), an act to exempt the annexation of the Edenton Airport from the ceiling on satellite annexations by the Town of Edenton. (Ch. 707)

H.B. 1383, an act to authorize the Town of Cerro Gordo to convey by private sale certain property to Eugene Green. (Ch. 708)

H.B. 1397, an act authorizing Columbus County to enter into leases for terms not longer than twenty years. (Ch. 709)

H.B. 1424, an act to add Caswell and Person Counties to those counties authorized to establish the boundaries between and among them by the use of orthophotography. (Ch. 710)

H.B. 1258, an act to authorize the University of North Carolina to retain the net proceeds from sale of the former residence of the Chancellor of Winston–Salem State University for application toward purchase of the successive residence for the Chancellor. (Ch. 711)

S.B. 359 (House Committee Substitute), an act to make it a felony offense to impersonate a law enforcement officer by unlawfully operating a motor vehicle with an operating blue light. (Ch. 712)

S.B. 855 (House Committee Substitute No. 2), an act to authorize public hospitals to develop various managed care organizations and managed care products with providers and insurers, to amend the Public Records Law, and to provide a health care personnel registry. (Ch. 713)

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages are received from the House of Representatives transmitting bills and a resolution which are read the first time and disposed of, as follows:

H.J.R. 1459, a joint resolution condemning arson, vandalism, and bomb threats against predominantly Black churches and supporting efforts to investigate and solve these crimes.

On motion of Senator Rand, the rules are suspended, without objection, and the joint resolution is placed before the Senate for immediate consideration upon its passage.

The joint resolution passes its second (42–0) and third readings and is ordered enrolled.

H.B. 1458, a bill to raise the penalty for burning of religious structures.

On motion of Senator Rand, the rules are suspended, without objection, and the bill is placed before the Senate for immediate consideration upon its passage.

The bill passes its second (44–0) and third readings and is ordered enrolled.

H.B. 1237 (Committee Substitute No. 2), a bill to ensure area authority financial stability and delivery of adequate services to clients.

On motion of Senator Rand, the rules are suspended, without objection, and the Committee Substitute bill No. 2 is placed before the Senate for immediate consideration upon its passage.

The Committee Substitute bill No. 2 passes its second (43–0) and third readings and is ordered enrolled.

With unanimous consent, the Chair declares the Senate in recess to await bills for ratification.

RECESS

The Senate is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor, who calls for messages from the House of Representatives.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages are received from the House of Representatives transmitting bills for concurrence which are for presented to the Senate, read, and disposed of, as follows:

S.B. 1294, a bill to conform the motor vehicle laws to the federal deregulation of trucking and to make technical changes to the motor vehicle laws, for concurrence in House Amendment No. 1.

On motion of Senator Rand, the rules are suspended, without objection, and the bill is placed before the Senate for immediate consideration upon concurrence.

The Senate concurs in House Amendment No. 1 (39–0) and the bill is ordered enrolled.

S.B. 1380, a bill authorizing Durham County to accept payments in lieu of required street and sidewalk construction, for concurrence in the House Committee Substitute bill, which changes the title, upon concurrence, to read **S.B. 1380** (House Committee Substitute), a bill authorizing Durham County to accept payments in lieu of required sidewalk construction.

On motion of Senator Rand, the rules are suspended, without objection, and the House Committee Substitute bill is placed before the Senate for immediate consideration upon concurrence.

The Senate concurs in the House Committee Substitute bill (39–0) and the measure is ordered enrolled.

With unanimous consent, the Chair declares the Senate in recess to await bills for ratification.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and a resolution properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

S.B. 470 (House Committee Substitute), an act to create the Good Funds Settlement Act, and to amend the definitions under the Registration Requirements Act for certain makers of mortgages and deeds of trust on residential real property. (Ch. 714)

S.B. 833, an act to require that vehicles making frequent stops on highways be equipped with flashing amber lights. (Ch. 715)

S.B. 1139 (House Committee Substitute), an act to implement the recommendation of the Joint Legislative Education Oversight Committee to implement the State Board of Education's ABC's plan in order to establish an accountability model for the public schools to improve student performance and increase local flexibility and control, and to make conforming changes. (Ch. 716)

H.B. 1125, an act to allow one–stop ballots to be directly inserted in optical scan tabulators in various counties as if the ballots were being voted at the precinct. (Ch. 717)

H.B. 1355 (Committee Substitute), an act to extend up to twenty years the period to repay special assessments in the City of Fayetteville. (Ch. 718)

H.B. 9 (Senate Committee Substitute), an act to expedite the postconviction process in North Carolina. (Ch. 719)

H.B. 779 (Committee Substitute), an act to create the North Carolina Board of Employee Assistance Professionals and to provide for the licensing of employee assistance professionals. (Ch. 720)

H.B. 1135 (Senate Committee Substitute), an act to repeal the statute that named "New Road" in Craven County, to authorize Craven County to levy an additional room occupancy tax, and to revise the existing Craven County room occupancy tax. (Ch. 721)

H.B. 1138 (Committee Substitute), an act to grant additional authority to the Town of Apex to charge fees in lieu of parkland or open space dedication based on a per–unit formula and to condition site plan approval upon dedication, reservation, improvement, or payment of fees in lieu. (Ch. 722)

H.B. 1187, an act to permit the local boards of education in certain counties to schedule longer school days so as to offset days lost due to inclement weather. (Ch. 723)

H.B. 1208, an act to permit the local boards of education in certain counties to schedule longer school days so as to offset days lost due to inclement weather. (Ch. 724)

S.B. 33 (House Committee Substitute No. 2), an act to make various changes in the criminal jurisdiction of district and superior court and to make various criminal law procedural changes. (Ch. 725)

S.B. 534 (House Committee Substitute), an act to amend the law regulating surety bondsmen, bail bondsmen, and runners. (Ch. 726)

H.B. 879 (Senate Committee Substitute), an act to amend the State's gun laws to establish statewide uniform regulation. (Ch. 727)

H.B. 934 (Senate Committee Substitute), an act to make clarifying, conforming, and technical changes to various laws relating to environment, health, and natural resources and related laws. (Ch. 728)

H.B. 1086 (Senate Committee Substitute), an act to make technical corrections in the 1995 workers' compensation insurance loss costs rating laws. (Ch. 729)

H.B. 1199 (Committee Substitute), an act to revise the definition of nonfleet motor vehicle to allow flexibility for the number of automobiles that may be written under a personal automobile insurance policy as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues and to provide that there are no reinsurance facility recoupment surcharge or safe driver incentive plan surcharges for certain accidents occurring during responses to emergencies. (Ch. 730)

H.B. 955 (Senate Committee Substitute), an act to increase educational opportunity by authorizing the creation and funding of charter schools, which are deregulated schools under public control. (Ch. 731)

H.B. 1098, an act to provide that Cumberland County and the cities located in that County may require issuance of a building permit for the replacement and disposal of roofing. (Ch. 732)

H.B. 1181, an act to grant authority to the City of Lumberton to address abandoned structures in the same manner as municipalities in counties with a population of over one hundred sixty–three thousand. (Ch. 733)

H.B. 1203 (Committee Substitute), an act to allow the appointment in certain circumstances of precinct officials, observers, and ballot counters for a precinct who are not registered to vote in that precinct. (Ch. 734)

H.B. 1211 (Committee Substitute), an act to revise and consolidate the Charter of the Town of Kill Devil Hills. (Ch. 735)

H.B. 1366, an act to revise and consolidate the Charter of the City of Washington. (Ch. 736)

H.B. 1394, an act to allow the Counties of Graham and Cherokee to acquire property for use by the County Board of Education. (Ch. 737)

H.B. 1417, an act relating to disclosure of business interest in Guilford County. (Ch. 738)

S.B. 859 (House Committee Substitute), an act to amend the mental health commitment law to provide for diversion of potential Thomas S. class members to appropriate treatment. (Ch. 739)

S.B. 1148, an act to provide additional coverage under the North Carolina Beach Plan as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues. (Ch. 740)

S.B. 1165 (Committee Substitute), an act to allow counties to remove vehicle registration tax block upon full payment of property taxes. (Ch. 741)

S.B. 1301 (Committee Substitute), an act to make various technical amendments to the General Statutes as recommended by the General Statutes Commission and to make other technical corrections to the General Statutes. (Ch. 742)

S.B. 1328, an act to implement phase one of the restructuring of environmental programs in the Department of Environment, Health, and Natural Resources and to make conforming statutory changes, as recommended by the environmental process action team of the Department of Environment, Health, and Natural Resources and to make clarifying, conforming, and technical amendments to various laws relating to environment, health, and natural resources, as recommended by the Environmental Review Commission. (Ch. 743)

H.B. 1164 (Committee Substitute), an act to provide for lien rights for persons who fabricate dies, molds, forms, or patterns and who fabricate products from dies, molds, forms, or patterns. (Ch. 744)

H.B. 1301 (Committee Substitute), an act to provide that it is a Class F felony to abduct a child from any person, agency, or institution lawfully entitled to the child's custody as recommended by the North Carolina Child Fatality Task Force. (Ch. 745)

H.B. 1083 (Senate Committee Substitute), an act to require first–class mail notice to all property owners in an area proposed for addition to a municipality's extraterritorial planning and zoning jurisdiction, proportional representation for residents of the ETJ on the planning agency, and a hearing before county appointment of representation to the planning agency, to prohibit a municipality from claiming for lost tax revenue during the pendency of an appeal of annexation and to amend the statute of limitations for appealing the validity of a zoning ordinance. (Ch. 746)

H.B. 1096, an act to transfer responsibility for collecting the remainder of the gross premiums tax from the Department of Insurance to the Department of Revenue and to clarify related statutes. (Ch. 747)

H.B. 1166, an act to modify the required disclosure statement and eliminate duplicative reporting requirements under the Charitable Solicitations Act and to modify and clarify requirements for nongovernmental entities' accountability for State grants. (Ch. 748)

H.B. 1237 (Committee Substitute No. 2), an act to ensure area authority financial stability and delivery of adequate services to clients. (Ch. 749)

H.B. 1413, an act to allow Mecklenburg County to acquire property for a magnet technical high school for use by its County Board of Education. (Ch. 750)

H.B. 1458, an act to raise the penalty for burning of religious structures. (Ch. 751)

S.B. 1146, a bill to repeal the law prohibiting licensed reinsurers from assuming reinsurance from nonadmitted insurers as recommended by the Legislative Research Commission's Committee on Insurance and Insurance–Related Issues and to make clarifying amendments in the 1995 assumption reinsurance law. (Ch. 752)

S.B. 1183, an act regarding the jurisdiction of the Utilities Commission with regard to the resale of water or sewer service in apartments, condominiums, and similar places as recommended by the Joint Legislative Utility Review Committee. (Ch. 753)

S.B. 1263 (Committee Substitute), an act to prohibit hunting from the right–of–way of public roads in Northampton County and to restrict hunting on the land of another in Macon County. (Ch. 754)

S.B. 1386, an act to amend the Charter of the City of Durham to allow payment of assessments over a longer period and at a reduced interest rate in cases of special financial hardship. (Ch. 755)

H.J.R. 1459, a joint resolution condemning arson, vandalism, and bomb threats against predominantly Black churches and supporting efforts to investigate and solve these crimes. (Res. 29)

S.B. 1294, an act to conform the motor vehicle laws to the federal deregulation of trucking and to make technical changes to the motor vehicle laws. (Ch. 756)

S.B. 1380 (House Committee Substitute), an act authorizing Durham County to accept payments in lieu of required sidewalk construction. (Ch. 757)

With bills remaining on the Calendar (*see Addendum*), the hour having arrived for adjournment, *sine die*, as set by Resolution 15 of the 1995 Session Laws, the President concludes the business to come before the Senate. The Lieutenant Governor, Dennis A. Wicker, by the authority vested in him as President of the Senate, declares the Senate of the 1995 General Assembly adjourned, *sine die*.

DENNIS A. WICKER
President of the Senate

SYLVIA MORRIS FINK
Principal Clerk of the Senate

ADDENDUM



It will be noted that a number of bills and resolutions passed second reading and then were read a third time on the same day.

Rule 50 states:

> No bill on its third reading shall be acted upon out of the regular order in which it stands on the calendar, and no bill shall be acted upon on its third reading the same day on which it passed its second reading, unless so ordered by two–thirds of the membership of the Senate present and voting.

In order to comply with this Rule, no bill which has passed its second reading is read a third time except:

(1) when a member moves that the Rule be suspended, and this motion prevails by at least a two–thirds vote of the membership of the Senate present and voting, or

(2) when the Chair determines that there is no objection from any member present, which constitutes unanimous consent that Rule 50 be suspended.

In these cases, the bill is read a third time and remains before the Senate for further consideration.

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It will be noted the phrase "without objection" appears throughout the Senate Journal. Upon a motion offered, this reflects a determination by the Chair there is no objection from a member present, which constitutes unanimous consent, for the order of the Chair.

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It will be noted that when a bill passes its second reading and remains on the Calendar for further consideration, unless indicated otherwise, the measure is placed on the Calendar for the next legislative day in its regular order of business.

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It will be noted that Rule 20(2) of the House of Representatives requires that *"all measures affecting a fee imposed by the State or any subdivision thereof"* are classified roll–call measures for the purpose of spreading the ayes and noes on the Journal. Though the Senate Rules do not require, the Rule of the House of Representatives is honored and the measures are considered as roll–call measures, unless ruled otherwise by the presiding officer.

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It will be noted the Presiding Officer of the Senate rules in a number of instances that *"the bill does not require a call of the roll"* or *"requires a call of the roll."* The ruling is made pursuant to the following citation which reads:

North Carolina Constitution—Article II

> Sec. 23.—*Revenue bills.* No laws shall be enacted to raise money on the credit of the State, or to pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any tax upon the people of the State or to allow the counties, cities, or towns to do so, unless the bill for the purpose shall have been read

three several times in each house of the General Assembly and passed three several reading, which readings shall have been on three different days, and shall have been agreed to by each house respectively, and unless the yeas and nays on the second and third readings of the bill shall have been entered on the journal.

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It will be noted that numerical figures appear within parentheses throughout the Senate Journal. These figures represent the affirmative and negative votes cast and recorded electronically, pursuant to Senate Rule 25. Copies of the voting print-out are on file in the Legislative Library and the original is deposited in the Division of Archives and History of the Department of Cultural Resources. A recapitulation of votes taken electronically in sequential order is found on page 350.

Sylvia Fink
Principal Clerk

May 13, 1996

NORTH CAROLINA GENERAL ASSEMBLY
PRESIDENT PRO TEMPORE
SENATOR MARC BASNIGHT
RALEIGH 27601-2808

April 29, 1996

The Honorable Beverly Perdue
Senate Appropriations Committee
Post Office Box 991
New Bern, North Carolina 28563

The Honorable Aaron Plyler
Senate Appropriations Committee
2170 Concord Avenue
Monroe, North Carolina 28110

Dear Bev and Aaron:

Pursuant to G.S. 120-19.6, you are authorized to activate the Senate Appropriations Committee on May 9th and May 10th for the 1996 budgetary session convening on May 13, 1996.

Sincerely yours,
S/Marc Basnight

c: Honorable Harold Brubaker
Ms. Sylvia Fink
Mr. George Hall

June 21, 1996 (See page 259)

S.B. 1324 (Committee Substitute), a bill to make changes in the Administrative Procedure Act, to make changes in various laws granting the power to adopt rules, and to clarify the requirements concerning certain removals of underground storage tanks, as recommended by the Administrative Procedure Oversight Committee.

It will be noted that a vote of (43-3) appears upon the second reading on the passage of this Committee substitute bill for which there is no printed copy of the vote. Though announced by the President of the Senate as it appeared on the voting display board, the voting equipment printer malfunctioned causing the vote tabulation to be eliminated. Therefore, this vote is neither recorded in the voting equipment nor on a printed record; only as announced by the President of the Senate.

Sylvia Fink
Principal Clerk

June 21, 1996 (See page 302)

BILLS REMAINING ON THE CALENDAR
UPON ADJOURNMENT *SINE DIE* JUNE 21, 1996

LOCAL BILLS	Committee Reporting	LOCAL BILLS

SECOND READING ROLL-CALL

HB 1115 Bowen — **Sloop Point Incorporated (Pender)**
(Id S 1397) 6/19 LocGov
6/20 Fav; Reref Fin
Fin 6/21 Fav; Rules Susp; Cal today (Supplemental)

HB 1145 Crawford — **Henderson Annexation (Vance)**
6/19 LocGov
6/20 Fav; Reref Fin
Fin 6/21 Fav; Rules Susp; Cal today (Supplemental)

HB 1306 Thompson — **Spruce Pine Deannexation (Mitchell)**
6/19 LocGov
6/20 Fav; Reref Fin
Fin 6/21 Fav; Rules Susp; Cal today (Supplemental)

HB 1307 Thompson — **Spruce Pine Annexation**
Com Sub 6/21 Rules Susp; Cal today
(2nd Ed.)

HB 1370 Decker — **Summerfield Corporate Limits (Guilford)**
Com Sub 6/19 LocGov
(2nd Ed.) 6/20 Fav; Reref Fin
Fin 6/21 Fav; Rules Susp; Cal today (Supplemental)

HB 1378 Baker — **Danbury Validation**
6/21 Rules Susp; Cal today

HB 1390 Pate — **Mount Olive Annexation**
6/21 Rules Susp; Cal today

HB 1412 Preston — **Peletier Incorporated (Carteret)**
(2nd Ed.) 6/19 LocGov
6/20 Fav; Reref Fin
Fin 6/21 Fav; Rules Susp; Cal today (Supplemental)

SECOND READING

HB 1347 McAllister — **Cumberland County School Bus Use OK'd**
(Id S 1169) 6/12 LocGov
6/17 Fav
6/18 W/D Cal; Recommit LocGov
LocGov 6/20 Fav; Rules Susp; Cal Today

BILLS REMAINING ON THE NEXT CALENDAR

LOCAL BILLS **Committee Reporting** **LOCAL BILLS**

THIRD READING ROLL-CALL

HB 1379 Mitchell **Iredell-Mooresville School Boundaries**
6/19 LocGov
LocGov 6/20 Fav; Rules Susp; Cal Today
6/21 Passed 2nd Rdg

June 21, 1996 (See page 302)

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

A special message received by the Principal Clerk from the House of Representatives transmitting a bill for concurrence was not presented to the Senate by the President prior to adjournment, *sine die*:

S.B. 981, a bill to amend the qualified investment tax credit to provide an incentive for investment in small North Carolina film production businesses, for concurrence in the House Committee Substitute bill with House Amendment No. 1 not engrossed, which proposes to change the title, upon concurrence, to read **S.B. 981** (House Committee Substitute), a bill to provide a one-time tax rebate to each individual taxpayer who resides in this State.

Sylvia Fink, *Principal Clerk*

June 21, 1996 (See page 302)

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message received from the House of Representatives, the gavel having already fallen, was not presented to the Senate:

House of Representatives
June 21, 1996

Mr. President:

You are respectfully advised that in accordance with **Resolution 15**, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1995 GENERAL ASSEMBLY TO MEET IN 1996, LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, AND PROVIDING FOR ADJOURNMENT *SINE DIE* OF THE GENERAL ASSEMBLY, the House of Representatives has concluded the business before it and stands ready to adjourn *sine die* immediately upon receipt of information from your Honorable Body that you are ready to have adjournment declared.

Respectfully,
S/Denise Weeks
House Principal Clerk

Sylvia Fink, *Principal Clerk*

1995 GENERAL ASSEMBLY REPORTS
RECEIVED SINCE ADJOURNMENT *SINE DIE*
OF THE SECOND SESSION OF THE 1993 GENERAL ASSEMBLY

BOARDS, COMMISSIONS, AND AGENCIES DIRECTED TO REPORT TO THE GENERAL ASSEMBLY HAVE SUBMITTED THE FOLLOWING:

AUTHORITY	TITLE	DIRECTED TO REPORT	RECEIVED
Ch. 321, Sec. 284 1993 Session Laws	Governor's Commission on Reduction of Infant Mortality, "Health Status of New and Expectant Mothers and Children in North Carolina"	by 5/15/94	9/15/94
Ch. 743, 1993 Session Laws	Department of Human Resources, Progress Report on Steering Team for Domiciliary Care	by 10/1/94 to Health Planning Commission and Commission on Aging; Final to 1995 Session	10/10/94
G.S. 113A–88(d)	Department of Environment, Health and Natural Resources, 1993–94 Annual Report on State Trails System	Annually	10/14/94
Ch. 561, Sec. 107; Ch. 769, Sec. 41, 1993 Session Laws	Department of Environment, Health and Natural Resources, Quarterly Report on Water Resources Development Projects	Quarterly	10/19/94
Ch. 738, 1987 Session Laws	Department of Crime Control and Public Safety, "1995 Drug Control and System Improvement Strategies		10/27/94
Ch. 542, Sec. 5(b) 1993 Session Laws	North Carolina System of Community Colleges, Quarterly Report of Bond Fund Expenditures	to Governmental Operations; Senate/ House Appropriations; Fiscal Research	11/4/94
Ch. 689, Sec. 239(h), 1991 Session Laws	Department of Human Resources, Division of Youth Services, Prison Bond Quarterly Report	to Governmental Operations; Senate/ House Appropriations; Fiscal Research	12/15/94
G.S. 120–30.17(9)	Medical Care Commission, Emergency Prehospital Cardiac Care and Recovery Care/Ambulatory Surgical Centers	1995 Session	12/28/94
Ch. 769, Sec. 21 1993 Session Laws	Department of Administration, Division of Purchase and Contract, Correction Enterprises Report of Sales for FY 1994 to State agencies and departments	by 1/1/95 to Governmental Operations; Senate/ House Appropriations on Justice & Public Safety	1/3/95

1995 GENERAL ASSEMBLY REPORTS (Continued)

AUTHORITY	TITLE	DIRECTED TO REPORT	RECEIVED
Ch. 542, Sec. 14 1993 Session Laws	Department of Environment, Health, and Natural Resources, Minority Business Report for Wastewater Projects Funded by Clean Water Bonds	1/1 Annually	1/20/95
Ch. 769, Sec. 27.2 1993 Session Laws	Wildlife Resources Commission, Fiscal Report on the Condition of the Wildlife Fund	by 1/12/95 to General Assembly; Fiscal Research	1/20/95
Ch. 771, Part III 1993 Session Laws	Election Laws Review Commission	by 1/25/95	1/25/95
G.S. 90–210.70(d)	Board of Mortuary Science, Record of Complaints, Auditing, and Enforcement Annual Report	Annually	1/26/95
Ch. 321, Sec. 302 1993 Session Laws	Department of Commerce, Report on Petroleum Overcharge Expenditures for April 1 through November 30, 1994	Annually by 1/31	2/8/95
G.S. 105–503(b)	Local Government Commission, Report on County Spending for Public School Capital Outlay	Annually by 2/15	2/15/95
	Department of Revenue, Office of the State Controller, Office of State Budget and Management, *North Carolina Summary of Financial Condition, January 31, 1995*		2/16/95
G.S. 130A–310	Department of Environment, Health and Natural Resources, Inactive Hazardous Sites Program	Annually by 2/15	2/21/95
G.S. 143B–181.1A	Department of Human Resources, Division of Aging, 1995 State Aging Services Plan		3/1/95
Ch. 769, Sec. 15 1993 Session Laws	Office of State Controller, Report of Review of Department of Revenue's Chart of Accounts	by 3/1/95	3/2/95
Ch. 689, Sec. 239(h) 1991 Session Laws	Department of Human Resources, Division ofYouth Services, Progress Report on Prison Bond Package projects	Quarterly to Senate/House Appropriations; Senate Base Budget; Fiscal Research; Governmental Operations	3/8/95
Ch. 769, Sec. 25.22 1993 Session Laws	Department of Human Resources, Progress Report on Budgetary Impact of Additional Beds in Domiciliary Care Facilities	by 3/15/95	3/16/95

1995 GENERAL ASSEMBLY REPORTS (Continued)

AUTHORITY	TITLE	DIRECTED TO REPORT	RECEIVED
	Department of Revenue, Office of the State Controller, Office of State Budget and Management, *North Carolina Summary of Financial Condition, February 28, 1995*		3/16/95
Ch. 561, Sec. 80 1993 Session Laws; Ch. 24, Sec. 40 Extra Session 1994	Administrative Office of the Courts, Report on Teen Court Programs	by 3/15/95 to Senate/House Appropriations on Justice & Public Safety; Governmental Operations	3/21/95
Ch. 769, Sec. 25.44(a) 1993 Session Laws	Department of Human Resources, Division of Social Services, Goals and Services Provided by Appropriations to State Maternity Home Fund	by 3/15/95 to General Assembly; Fiscal Research	3/27/95
Ch. 769, Sec. 25.44(b) 1993 Session Laws	Department of Human Resources, Goals and Services Provided by Appropriations to Children's Home Society of NC	by 3/15/95 to General Assembly; Fiscal Research	3/27/95
Ch. 24, Sec. 30 1994 Extra Session	Department of Human Resources, Progress Report of Support our Students (S.O.S.) Program	by 2/1/95	3/27/95
Ch. 769, Sec. 28.7(g) 1993 Session Laws	Department of Commerce, Review of Current Regional Economic Development Funding	by 1/15/95	3/30/95
G.S. 158–8.3(e)(5)	Southeastern North Carolina Regional Economic Development Commission	Annually by 3/31	4/4/95
G.S. 158–8.2(f)(4)	Northeastern North Carolina Regional Economic Development Commission	Annually by 3/31	4/4/95
G.S. 113–77.7	Department of Environment, Health, and Natural Resources Annual Report of the NaturalHeritage Trust Fund	Annually	4/4/95
G.S. 115C–12(16) Ch. 769, Sec. 19(a) 1993 Session Laws	Department of Public Instruction, Report on Salaries for Noncertified Public School Employees	by 3/31/95	4/4/95
G.S. 158–8.1(e)(5)	Western North Carolina Regional Economic Development Commission Annual Report	Annually by 3/31	4/4/95
Ch. 769, Sec. 25.34(b) 1993 Session Laws	Department of Human Resources, Providing Subsidized Day Care for More Eligible Children in North Carolina	by 3/15/95 to General Assembly; Fiscal Research	4/5/95

1995 GENERAL ASSEMBLY REPORTS (Continued)

AUTHORITY	TITLE	DIRECTED TO REPORT	RECEIVED
G.S. 113A-193(b) Ch. 761, Sec. 120 1983 Session Laws	Department of Environment, Health, and Natural Resources, Forest Development Program	Biennially by 1/15	4/6/95
G.S. 130A-124	Department of Environment, Health, and Natural Resources, Status Report on the Adolescent Pregnancy Prevention Program	Annually	4/12/95
G.S. 113A-164.4	Department of Environment, Health, and Natural Resources, Biennial Report of the Natural Heritage Program	Biennially by 2/15 to General Assembly; Governor	4/17/95
	Department of Revenue, Office of the State Controller, Office of State Budget and Management, *North Carolina Summary of Financial Condition, March 31, 1995*		4/18/95
Ch. 321, Sec. 219 1993 Session Laws	Department of Human Resources, Annual Report on Cassell, et al. V. Britt, et al. Activities and Expenditures	Annually by 5/1	5/1/95
G.S. 7A-38	Administrative Office of the Courts Evaluation of the Mediated Settlement Conference Program	by 5/1/95	5/1/95
Ch. 363 and Ch. 399 1993 Session Laws	Department of Justice, Report on Mediation Programs at the Industrial Commission and the Office of Administrative Hearings	by 5/1/95	5/1/95
Ch. 321, Sec. 216 1993 Session Laws	Department of Public Instruction, Developmental Day Centers' Grant-in-Aid	by 5/1/95 to General Assembly; Fiscal Research	5/4/95
Ch. 769, Sec. 25.3 1993 Session Laws	Department of Human Resources, Final Report for the Thomas S. Program	Annually by 4/1	5/9/95
Ch. 321, Sec. 208(e) 1993 Session Laws	Department of Human Resources and Department of Public Instruction, Willie M. Program 1994-1995	Annually by 5/1	5/9/95
G.S. 136-12(b)	Department of Transportation, 1995 Transportation Improvement Program Draft Reports	30 days prior to approval of reports	5/10/95
Ch. 769, Sec. 25.37 1993 Session Laws	Department of Human Resources, Foster Care Report Fiscal Research	by 4/30/95 to Governor;	5/11/95
	Department of Revenue, Office of the State Controller, Office of State Budget and Management, *North Carolina Summary of Financial Condition, April 30, 1995*		5/16/95

1995 GENERAL ASSEMBLY REPORTS (Continued)

AUTHORITY	TITLE	DIRECTED TO REPORT	RECEIVED
G.S. 115C–301(g)(2); G.S. 115C–21.1(b)	Department of Public Instruction, Report on Class Size Overages, Teacher and Daily Load Overages, Schools with Class Size Waivers, and Teacher Positions Converted to Other Use	Annually by 5/1	5/22/95
G.S. 143B–181.55(b)	Senior Tarheel Legislature Report of Recommendations	1995 Session	6/1/95
	Department of Revenue, Office of the State Controller, Office of State Budget and Management, *North Carolina Summary of Financial Condition, May 31, 1995*		6/20/95
Ch. 24, Sec. 38 1994 Extra Session	Administrative Office of the Courts, Report on Use of Deferred Prosecution Programs in North Carolina.	1995 Session	7/4/95
G.S. 143B–10	Employment Security Commission Reorganization		7/5/95
G.S. 131A–19	Department of Human Resources, "The Health Care Facilities Finance Act Annual Report June 30, 1995"	Annually	7/17/95
Ch. 542, Sec. 10(j) 1993 Session Laws	Department of Environment, Health, and Natural Resources, "Consolidated Report on the Clean Water Bond Loan Program Fiscal Year 1995"	by 7/31 Annually	7/26/95
Ch. 769, Sec. 25.43 1993 Session Laws	Department of Human Resources, Division of Social Services, Report on Reimbursement Discrepancies for Child Caring Institutions	by 3/15/95	7/27/95
G.S. 130A–309.14	Department of Environment, Health, and Natural Resources, "Solid Waste Management Fourth Annual Report July 1, 1993–June 30, 1994"	Annually	8/11/95
G.S. 143B–39(14)(15) Ch. 769, Sec. 10.1 1993 Session Laws	Office of the State Controller, "North Carolina Information Highway Report"	1995 Session	8/21/95
G.S. 143B–152.10	Department of Human Resources, "Family Resource Centers Annual Report 1994–95"	by 10/1 Annually	10/19/95
G.S. 90–210.70(d)	North Carolina Board of Mortuary Science, "AnnualReport – Record of Complaints, Auditing and Enforcement"	Annually	12/29/95
Ch. 316 1995 Session Laws	Administrative Office of the Courts, Report on Equitable Distribution Cases	1/1/96	1/2/96

1995 GENERAL ASSEMBLY REPORTS (Continued)

AUTHORITY	TITLE	DIRECTED TO REPORT	RECEIVED
Ch. 507, Sec. 26.9(l) 1995 Session Laws	Heart Disease and Stroke Prevention Task Force, Preliminary Report	Prelim. 1/1/96; Interim 5/13/96; Final 10/1/96	1/2/96
Ch. 507, Sec. 23.11A 1995 Session Laws	Department of Human Resources, "Domiciliary Care Report for the Second Quarter of SFY 1995–96"	Quarterly	1/22/96
G.S. 147–68	Department of State Treasurer, "Annual Report Fiscal Year 1994–1995"	Annually	2/12/96
Ch. 324, Sec. 26.1 1995 Session Laws	Department of Environment, Health, and Natural Resources, "Report of Inactive Hazardous Sites Cleanup Fund Cost Contribution for Voluntary Remedial Actions 1995–1996 Fiscal Year"	Annually	3/26/96
Ch. 333 1995 Session Laws	Supreme Court of North Carolina, "Report on a Case Flow Management Plan"	5/1/96	5/1/96
Ch. 507, Sec. 21.2 1995 Session Laws	North Carolina Sentencing and Policy Advisory Commission, "Recidivism of Offenders Assigned to Community Corrections Programs or Released from Prison in North Carolina: Fiscal Year 1992–93"	5/1/96	5/1/96
Ch. 507, Sec. 8.5(d) 1995 Session Laws	Joint Legislative Study Commission on Job Training Programs, Interim Report	Interim 5/1/96 Final 1/29/97	5/3/96
G.S. 143–577	North Carolina Child Fatality Task Force, "Our Children, Our Future, Our Responsibility"		5/22/96
Ch. 769, Sec. 28.21; 1993 Session Laws Ch. 507, Sec. 27.3 1995 Session Laws	Piedmont Sports and Entertainment Facilities Study Commission	1996 Session	5/27/96
	Department of Revenue, Office of the State Controller, Office of State Budget and Management, *North Carolina Summary of Financial Condition, May 31, 1996*		6/19/96

SUMMARY OF BILLS AND RESOLUTIONS

REMAINING IN THE SENATE
1995 SESSION
SECOND SESSION 1996

The following bills and resolutions remain in the Senate upon adjournment *sine die* to be transferred to the Division of Archives and History of the Department of Cultural Resources upon adjournment *sine die* of the 1997 General Assembly in accordance with G.S. 120–37(f).

Bill No.	Short Title	Identical Bill/Last Action or Note
CONFERENCE COMMITTEE		
S 58	Voter Reg. Cleanup	H 102/ H ppi
S 737	Elec. Funds Transfer/Counties/AB	
S 1078	Character Education Required	
H 3	Taxpayer Protection Act	S 66/ S Fin (see H 898/Ch. 542)
H 300	Contract Revisions	
H 659	Duplin Road Hunting	
H 661	Halifax School Board Vacancy	
H 910	Child Bicycle Safety Act	
H 1108	Modify Budget	
HOUSE MESSAGE RECEIVED		
S 981	One Time Tax Rebate	Rec'd for Concurrence/ House Com Sub
RECALLED FROM ENROLLING		
H 1375	Whiteville School Elections (Columbus)	
HELD AS FILED		
S 285	Mem. Cong./Exempt Water Systems	Held/ Rule 40(b)
S 614	Pitt/Eliminate Public Defender	Held/ Rule 40
S 926	Naval Air Station/Cherry Point	Held/ Rule 40(b)
S 1097	Taiwan/United Nations Participation	H 1056/ Rules
S 1354	Secondary Road Paving Limitation	Held/ Rule 43
S 1423	Magistrate Registration Tags	Held/ Rule 43
S 1437	Mountain Area Local Act–2 (Sen. District 29)	Held/ Rule 43
S 1441	Capital Case Jury Instructions	Held/ Rule 43
S 1442	First Degree Murder/Guilty Plea	Held/ Rule 43
S 1469	Waiver/Parole Hearing	Held/ Rule 43
S 1476	Nonbetterment Utilities Relocation	Held in Clerk's Office
S 1478	Gang Crime/Enhanced Penalties	Held/ Rule 43
S 1481	Fraudulent IDs/Felony Offense	Held/ Rule 43
H 114	Alamance School Merger/ Richmond Hosp.	Ordered Held by Senate (see S 663/Ch. 432; S 725/Ch. 597; H 706/Ch. 540)
H 457	American Sign Language, Recognize	Held/ Rule 43
H 1055	N.C. Women Legislators, Honoring	S 1095/ H Rules
H 1084	Annexation Changes/Smaller Cities	S 1184/ Held/ Rule 43
H 1101	Local Sales Taxes	S 1136/ Held/ Rule 43

Summary of Bills/Resolutions Remaining in Senate

HELD AS FILED (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
H 1179	Water and Sewer, Resale	S 1183/ Held/ Rule 43
H 1252	Wentworth Incorporation (Rockingham)	Held/ Rule 43
H 1324	Sex Offender Post–Release Supervision	S 1296/ Held/ Rule 43
H 1410	Mem./Peleg Dameron Midgett, Jr.	Held/ Rule 43

UNFAVORABLE

S 275	Lieutenant Governor Part–Time	
H 674	Guilford Commissioners	
H 710	High Point Elections	

FAILED TO PASS

S 296	Lake Royale Motor Vehicle Laws	
S 338	District Court Vacancies	
S 577	CPA Education Requirements	
S 624	State Lottery Referendum – 1995	(see S 1388/S Appr; S 1410/S Fin)
S 634	Loop Funds May be Reallocated	H 777/ H Transp
H 12	Term Limits/Election Reform	S 70/ S Jud I
H 113	Criminal Justice Records Access	

POSTPONED INDEFINITELY

S 1155	Hospital Reimbursement	H 1088/ Ch. 548

TABLED — NONE —

REMAINING ON CALENDAR

H 1115	Sloop Point Incorporated (Pender)	S 1397/ Ch. 643
H 1145	Henderson Annexation (Vance)	
H 1306	Spruce Pine Deannexation (Mitchell)	
H 1307	Spruce Pine Annexation (Mitchell)	
H 1347	Cumberland Co. School Bus Use	S 1169/ Ch. 562
H 1370	Summerfield Corporate Limits (Guilford)	
H 1378	Danbury Validation (Stokes)	
H 1390	Mount Olive Annexation (Wayne/Duplin)	
H 1412	Peletier Incorporated (Carteret)	

FOR FUTURE CALENDAR

S 1496	Mem./Charles Melvin Creecy	(see S 1492/Res. 25)
H 1379	Iredell–Mooresville School Boundaries	

AGRICULTURE/ENVIRONMENT/NATURAL RESOURCES

S 147	Monitor Effects of Pesticide Use	
S 148	Private Pesticide Applicators	
S 149	Pesticide Board/At–Large Members	
S 150	Members/Pesticide Advisory Committee	
S 169	Inspect/Monitor Oil Terminals	(see H 230/Ch. 507)
S 199	Pesticide Law Amendments	H 117/ H Agric
S 230	Lic. of Poultry & Ratite Dealers	H 238/ H ppi
S 386	Watershed Exemption	H 491/ Ch. 301
S 394	Zoning/Intensive Hog Operations	H 523/ H Agric
S 410	On–Site Wastewater System Contractors	
S 518	Water Supply Watershed Act Improvements	
S 722	Raccoons As Pets	
S 804	Environmental Impacts on Rivers	H 874/ H Hlth&Envir

Summary of Bills/Resolutions Remaining in Senate

AGRICULTURE/ENVIRONMENT/NATURAL RESOURCES (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
S 860	Environmental Permitting, Expedite	H 836/ Ch. 484
S 891	Solid Waste Amendments	H 859/ Ch. 594
S 962	Watershed Protection Repeal	H 888/ H Hlth&Envir
S 1023	Interbasin Transfers	
S 1112	Shellfish Leases In Core Banks	H 1074/ Ch. 547
S 1191	Endorsement to Sell Sunset	H 1075/ Ch. 586
S 1193	Fisheries Moratorium Report Date	H 1078/ Ch. 551
S 1194	Employees/ Shellfish Leases/Franchises	H 1077/ Ch. 633
S 1277	Unlined Landfills/Temporary Extension	H 1359/ H Hlth&Envir
S 1314	Nitrogen Reduction Goal	H 1339/ Ch. 572
S 1345	Animal Waste Permits/Inspections	
S 1348	Well and Pump Contractors	H 1351/ H Fin
H 601	Pesticide Applicator Licensing	
H 1338	Environmental Mgmt Comn Members	S 1343/ H Cal 36(a)

APPROPRIATIONS

S 17	Teacher Staff Dev. Days	
S 19	Sch. Improvement Incentives/Funds	(see H 230/Ch. 507)
S 23	School Technology Funds	(see H 230/Ch. 507)
S 25	Alternative School Funds	
S 27	Prison Cap Repeal	(see H 229/Ch. 324)
S 28	Criminal Penalties Increase	(see H 230/Ch. 507)
S 30	Long–Term Confinement Contracts	(see H 229/Ch. 324)
S 31	Prisons, Allow Private	H 51/ H Jud 2 (see H 229/Ch. 324; H 230/Ch. 507; H 898/Ch. 542)
S 32	Misdemeanants Housing/LRC	
S 35	Partnership for Independence	H 19/ H Wel&HumRes
S 59	Consumer Study Comm.	(see H 898/Ch. 542)
S 60	School Building Study Commission	H 78/ H ppi (see H 898/Ch. 542)
S 61	African–American Heritage Comm.	H 76/ H ppi
S 76	Emergency Mgmt. Division Funds	H 88/ H ppi (see H 230/Ch. 507)
S 87	Community–Based Partnership/ Grant Program	H 256/ H ppi
S 88	Juvenile Confinement Release Study	
S 89	Minority Teachers Study	
S 90	Delinquent Juveniles Counseling	
S 94	Water Resources Internship Funds	H 45/ H ppi
S 95	Authorizing/LRC Study Water Issues	H 46/ H ppi (see H 898/Ch. 542)
S 102	Long–Term Care Insurance Study	H 98/ H ppi (see H 898/Ch. 542)
S 103	Sales Tax on Donated Items	
S 105	Minority Males Study Continuation	H 217/ H ppi
S 106	School–Based Health Funds	H 285/ H ppi
S 107	Home Visit Funds	
S 110	Shellfish Lease Program Fund	H 153/ H ppi
S 111	Shellfish Enhancement Funds	H 56/ H ppi
S 112	Marine Fisheries Patrol	H 57/ H ppi (see H 230/Ch. 507)
S 113	Marine Fisheries Official Activities	H 54/ H ppi (see H 230/Ch. 507)
S 114	Shellfish Mapping Fund	H 53/ H ppi
S 115	St. Employee Liab. Trust Fund	
S 117	Tort Liability/Immunity Study	H 187/ H ppi
S 122	Interstate Tax Cooperation Study/LRC	(see H 898/Ch. 542)

Summary of Bills/Resolutions Remaining in Senate

APPROPRIATIONS (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
S 128	Increase In–Home Funds	H 101/ H ppi (see H 230/Ch. 507)
S 129	Transportation Funds	H 100/ H Reptd to Appr
S 130	Fire/Rescue Squad Benefits Increase	H 105/ H ppi (see H 230/Ch. 507)
S 131	Eastern NC Job Training Funds	
S 134	Repairs Reserve Account Changes	(see H 229/Ch. 324)
S 137	Capital Improvements	
S 138	1995 Base Budget	
S 141	1995 Capital Expenditures	
S 142	1995 Current Operations	
S 157	UNC–W Marine Sciences Funds	(see H 230/Ch. 507)
S 158	School Safety Funds	(see H 6/Ch. 450)
S 160	Social Workers Defense	H 185/ H Jud 1
S 161	Eastern N.C. Agric. Center Funds	(see H 230/Ch. 507)
S 164	Foster Parent Records/AB	H 402/ S Jud 1 (see H 230/Ch. 507)
S 165	Day Care Provider Records/AB	H 403/ S Jud 1 (see H 230/Ch. 507)
S 172	UNC–W Marine Sciences Funds	H 172/ H ppi (see H 230/Ch. 507)
S 177	Car Seized/Driving on Revoked D.L.	
S 188	Child Support Changes/AB	(see H 168/Ch. 538)
S 198	Low–Wealth School Supp. Funds	H 252/ H ppi (see H 230/Ch. 507)
S 203	ECU Life Sciences Building Funds	(see H 230/Ch. 507)
S 204	Child Care Credit/Nonresidents	
S 210	Restit./Victim Impact Statements	H 155/ H ppi
S 211	Housing Trust Fund	H 354/ H ppi
S 214	Fiscal Note/Subj. Notice/Rules	H 191/ H ppi (see H 230/Ch. 507)
S 219	Fire Pension Benefits Increased	(see H 230/Ch. 507)
S 221	Grassroots Science Museum Funds	H 415/ H ppi
S 226	Railroad Diesel Sales Tax Exemption/AB	H 360/ Ch. 451
S 228	Chiropractic Care Study/LRC	(see H 898/Ch. 542)
S 231	Public Health Study Sunset Repeal	(see H 230/Ch. 507; H 898/Ch. 542)
S 238	State Parks Study Commission	H 60/ H ppi
S 239	State Park Staff Funds	H 59/ H ppi
S 248	Coalition 2001 '95 Funds	H 283/ H ppi (see H 230/Ch. 507)
S 250	Credit/Refund Federal Retirees	H 144/ H ppi (see H 1259/S Fin)
S 257	Jurisdictional Amount Increase	
S 260	FSU Funds–Student Center	H 334/ H ppi (see H 230/Ch. 507)
S 261	Teen Involvement Projects Funds	
S 262	FSU Fine Arts Building Funds	H 335/ H ppi
S 263	Orange Street School Funds	
S 266	Senior Games Funds	(see H 230/Ch. 507)
S 267	Alzheimer's Association/Funds	(see H 230/Ch. 507)
S 274	Teacher Education Study	
S 276	DHR Capital Funds	
S 278	Clerks of Court on Commissions	
S 280	Farmers Market Funds	
S 281	Rollins Laboratory Funds	H 320/ H ppi
S 290	1995 Retirement Benefits Act/AB	H 376/ H ppi (see H 230/Ch. 507)
S 302	Hydrilla Eradication Funds	H 177/ H ppi
S 304	Data on Aboveground Tanks	(see H 230/Ch. 507)
S 306	Foster Care Worker Funds	H 293/ H ppi
S 310	Licensing/Examining Bd. Retirement	
S 311	Biological Pest Control Funds	H 384/ H ppi

Summary of Bills/Resolutions Remaining in Senate

APPROPRIATIONS (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
S 314	International Agric. Marketing	H 321/ H ppi
S 315	Pesticide Disposal Program Funds	H 474/ H ppi (see H 229/Ch. 324)
S 319	Rural Economic Development Funds	H 579/ H ppi (see H 230/Ch. 507)
S 326	Eastern NC Job Training Funds	
S 327	Farm/Agribusiness Loan Reserve Funds	(see H 230/Ch. 507)
S 328	Grain Grading Training Funds	
S 335	Cancer Registry Funds	H 219/ H ppi (see H 230/Ch. 507)
S 336	Mecklenburg Drug Court Program	H 444/ H ppi (see H 230/Ch. 507)
S 337	Caring Program Funds	H 393/ H ppi (see H 230/Ch. 507)
S 340	Governor's '95 Capital Approp./AB	H 391/ H ppi
S 343	New Hanover Community Health Funds	H 465/ H ppi
S 347	Cape Lookout Studies Program Funds	
S 350	Maritime Museum Expansion Funds	
S 352	Gov.'s 1995 Operating Appropriations	H 392/ H ppi
S 354	DCA Quality Growth Funds	
S 355	Columbus Co. Economic Dev. Funds	(see H 230/Ch. 507)
S 360	Harriet's House Funds	(see H 230/Ch. 507)
S 363	Community College Fund Allocation	(see H 738/Ch. 515)
S 366	Out-of-State Inmates/Funding/AB	H 375/ Ch. 81
S 367	Child Day Care Rates/Funds	H 261/ H Wel&HumRes/Fam
S 369	Educ. Resource Teams/Standards	
S 370	Day Care "Notch" Increase/Funds	H 260/ H ppi
S 372	Resource and Referral Funds	H 262/ **H Unfav**
S 373	Child Care Eligibility Increase/Funds	H 258/ H ppi
S 378	Alzheimer's Unit Funds	H 364/ H ppi (see H 230/Ch. 507)
S 381	Juvenile Code Study/LRC	H 251/ H ppi (see H 898/Ch. 542)
S 382	NC Technological Dev. Auth. Funds	(see H 230/Ch. 507)
S 385	Community College Fund Allocation	H 738/ Ch. 515
S 387	Family Preservation Funds	(see H 230/Ch. 507)
S 390	Heart Disease/Stroke Task Force/Funds	H 460/ H ppi (see H 230/Ch. 507)
S 391	Model Clinical Teaching Network Funds	H 641/ H ppi (see H 230/Ch. 507)
S 398	Record Checks/School Employees	(see H 230/Ch. 507)
S 406	State Publications to OSP/AB	H 423/ Ch. 166
S 420	Purchasing Study	H 302/ H ppi (see H 898/Ch. 542)
S 421	Environmental Farming Funds/AB	
S 422	Env. Farming Operating Funds/AB	
S 425	East. School for Deaf Center Funds	H 363/ H ppi (see H 230/Ch. 507)
S 435	Partnership for Quality Growth/LRC	(see H 898/Ch. 542)
S 436	OAH/Civil Rights Division Funds	
S 439	Agriculture Data Processing Funds	
S 440	Weights & Measures Program Funds	
S 441	Raleigh Farmers Market Funds	H 426/ H ppi
S 442	Radio Reading Services Funds	
S 443	Motor Fuels Lab Funds	
S 444	Dorton Arena Roof Funds	
S 445	Events & Exhibits Building Funds	
S 450	Public Library Aid Fund	(see H 230/Ch. 507)
S 451	Independent Living Program Funds	(see H 230/Ch. 507)
S 454	Cape Fear River Program Funds	S 490/ S Appr; H 525/ H ppi
S 455	NC A&T Land Acquisition Funds	H 999/ H ppi
S 456	NC A&T Agricultural Research Funds	H 1012/ H ppi

Summary of Bills/Resolutions Remaining in Senate

APPROPRIATIONS (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
S 457	Allied Health Program/Funds	H 284/ H ppi (see H 230/Ch. 507)
S 461	Energy Conservation Study/LRC	H 275/ H ppi (see H 898/Ch. 542)
S 465	NC Pottery Center Funds	
S 466	Catch–up Underfunded Smart Start Cos.	
S 467	UNC/Uniform Reversion Rate	H 242/ H ppi (see H 230/Ch. 507)
S 473	Veterans' Disability Amendment	
S 474	Global TransPark Zone Funds	H 752/ H Bus&Labor
S 475	Rural Economic Development Funds	(see H 230/Ch. 507)
S 480	NCSU Toxicology Building Funds	(see H 230/Ch. 507)
S 485	Funds/Improve Fertilizer Lab	
S 486	Farmers' Market Funds	H 547/ H ppi
S 489	Beaver Control Funds	H 521/ H ppi (see H 230/Ch. 507)
S 490	Cape Fear River Program Funds	S 454/ S Appr; H 525/ H ppi
S 493	Warren PCB Landfill Cleanup Funds	(see H 230/Ch. 507)
S 498	Drinking Water Test Waivers	
S 500	Greene Correctional Center Funds	(see H 230/Ch. 507)
S 504	Meat/Poultry Inspection Funds	
S 510	Substance Abuse Funds	(see H 230/Ch. 507)
S 511	NC LEAF Funds	(see H 230/Ch. 507)
S 512	Mosquito Control Funds	S 623/ S Appr; H 548/ H ppi
S 514	Kure Beach Renourishment Funds	H 800/ H ppi (see H 230/Ch. 507)
S 516	School Technology Personnel Funds	
S 522	Center/Applied Textile Tech/Funds	(see H 230/Ch. 507)
S 531	Burke County Local Act	
S 533	Indian Cultural Center Funds	H 622/ H ppi
S 547	Employment Procedures Study	
S 548	Home Ownership Funds	H 992/ H ppi (see H 230/Ch. 507)
S 549	Shook–Smathers House Funds	H 530/ H ppi
S 551	Children/Craniofacial Anomalies	(see H 230/Ch. 507)
S 561	MH Single Portal Funds	(see H 230/Ch. 507)
S 562	Mecklenburg DSS Funds	
S 571	NCSU Agricultural Research Funds	
S 578	Ctr. App. Textile Tech/Cap. Funds	
S 591	Insurance Licenses/Continuing Education	H 780/ H Ins
S 595	Lead Abatement Certification	
S 596	NCSU Forestry Geneticist Funds	H 794/ H ppi (see H 230/Ch. 507)
S 610	Longevity Pay/Public Defenders	(see H 230/Ch. 507)
S 615	Children's Vaccine Funds	H 796/ H ppi
S 619	Head Start Facility Funds	
S 620	Head Start Wrap–Around Funds	
S 621	Durham Substance Abuse Funds	
S 622	DOC Substance Abuse Funds	
S 623	Mosquito Control Funds	S 512/ S Appr; H 548/ H ppi
S 629	CJIN Board/Funds	
S 633	Beaver Control Funds/Add Counties	(see H 230/Ch. 507)
S 641	ADAP Reimbursement/Funds	H 419/ H ppi
S 644	Summit House Funds	H 996/ H ppi
S 645	LEP Student Program Funds	H 991/ H ppi
S 646	Volunteer Safety Workers/AB	(see H 230/Ch. 507)
S 647	Military History Museum Funds	
S 648	Eastern NC Tour Funds	

Summary of Bills/Resolutions Remaining in Senate

APPROPRIATIONS (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
S 650	Head Start Parent–Child Ctr. Funds	
S 658	Warren Forestry Shed Funds	
S 659	Fairness to Teacher Assistants	
S 667	Stanly Air Guard Complex Funds	(see H 230/Ch. 507)
S 669	National Guard Funds	(see H 230/Ch. 507)
S 670	UNC Infection Control Funds	(see H 230/Ch. 507)
S 672	Life & Science Museum Funds	
S 676	Interactive Visual Tech Funds	
S 680	Centennial Center Funds	(see H 230/Ch. 507)
S 683	Judicial Elections	H 950/ H Jud 1
S 688	SPA Employee Pay Raise	H 925/ H ppi
S 698	Local LEO Minimum Salary Grants	
S 703	State Economic Development	
S 705	Chinqua–Penn Transfer	H 894/ H StGov
S 731	State Games of NC Funds	(see H 230/Ch. 507)
S 732	Disability Cap Removed	
S 738	Parents as Teachers Program Funds	H 902/ H ppi
S 739	Senior Centers/Funds	H 901/ H ppi
S 740	Home Program Match Funds	H 983/ H ppi
S 741	NCA&T Environmental Farming	
S 746	School Textbook Funds	(see H 230/Ch. 507)
S 747	NC as Travel Destination Funds	
S 748	ECU Medical School Receipts	H 803/ H ppi (see H 230/Ch. 507)
S 753	NC Biotechnology Center Funds	H 1028/ H ppi
S 757	NC Future Farmers of America Funds	(see H 230/Ch. 507)
S 759	Cigarette Sales Study, Unfair	
S 765	UNC Self–Liquidating Cap. Projects	H 984/ S Appr (see H 230/Ch. 507)
S 767	Wildlife LEO Pay Equity	(see H 230/Ch. 507)
S 768	Food Sanitation Funds	H 924/ H ppi (see H 230/Ch. 507)
S 769	Assault Emergency Personnel	(see H 230/Ch. 507)
S 770	Braille Literacy	H 1025/ H ppi (see H 230/Ch. 507)
S 773	AIDS Prevention Funds	(see H 230/Ch. 507)
S 774	Indian Cultural Center Funds	(see H 230/Ch. 507)
S 781	Soil Survey Positions Funds	H 824/ H ppi
S 784	Health Care Reform/HPC	(see H 230/Ch. 507)
S 785	Fuquay–Varina Community Ctr. Funds	
S 787	Salemburg VFD Funds	
S 790	College Voter Accessibility	
S 799	Local Infrastructure Trust Fund	H 964/ H ppi
S 805	UNC–CH Law School Funds	(see H 230/Ch. 507)
S 810	Airborne Rescue Funds	
S 811	Minority Business Dev. Ctr. Funds	(see H 230/Ch. 507)
S 816	Controlled Substances Tax Position	
S 817	Dispute Settlement Funds	H 1005/ H ppi (see H 230/Ch. 507)
S 823	Dental Medicaid/Funds	
S 824	State Auth./Fed. Clean Water Act	H 886/ H Rules (see H 898/Ch. 542)
S 829	Utilities/Industrial Commission Salaries	
S 834	Milk Sanitation Program Funds	(see H 230/Ch. 507)
S 835	Optical Storage Library System Funds	
S 841	Grandparent Rights Study	(see H 898/Ch. 542)
S 845	UNC Educational Consortia Funds	

Summary of Bills/Resolutions Remaining in Senate

APPROPRIATIONS (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
S 848	Guilford Juvenile Detention Funds	
S 850	Franchise Tax Base	
S 851	ESC Voter Sunset	
S 852	Metrolina Food Bank Funds	H 1036/ H ppi (see H 230/Ch. 507)
S 853	Cued Speech Center Funds	
S 861	Rental Owners' Rights LRC	(see H 898/Ch. 542)
S 866	UNC Instructional Technology Funds	(see H 230/Ch. 507)
S 867	Teacher Scholarship Loan Funds	
S 872	Guardianship Changes	
S 876	Bad Check Fees to Schools	(see H 898/Ch. 542)
S 877	Comm. Rehab. Pilot Projects/Funds	
S 879	Ports Authority Transfer Study	
S 881	Coastal Insurance Study/LRC	(see H 898/Ch. 542)
S 882	Industrial Commission/Fraud Check	(see H 230/Ch. 507)
S 883	Parks Authority/Trust Funds	
S 888	Lake Gaston Economic Dev. Funds	(see H 230/Ch. 507)
S 892	Drug Impaired Driver LRC Study	
S 893	D.A.R.E./Intoxilizer Funds	
S 894	Community College Fuel Exemption	(see H 898/Ch. 542)
S 895	SADD Coordinator Funds	
S 897	Public Library Funds	H 500/ H ppi (see H 230/Ch. 507)
S 898	Marine Sciences Funds	H 1035/ H ppi (see H 230/Ch. 507)
S 900	Fayetteville TEACCH Funds	(see H 230/Ch. 507)
S 902	Child Abuse Investigation Training Funds	(see H 230/Ch. 507)
S 903	Substance Abuse/Juvenile Funds	H 297/ H ppi
S 904	Extend Substance Abuse Pilot/Funds	(see H 230/Ch. 507)
S 906	Child Center Funds	
S 909	Teacher Longevity Funds	
S 911	Duplin Community Center Funds	H 1039/ H ppi (see S 1359/S Appr)
S 912	SHP New Troop Funds	
S 913	Mycoplasma and Bacteriology	H 323/ H ppi
S 920	School Nurses	H 1040/ H ppi
S 921	Housing Technical Assist. Funds	
S 923	UNC Faculty Development Funds	(see H 230/Ch. 507)
S 934	Soil/Water Supervisor Expense Funds	(see H 230/Ch. 507)
S 935	Soil/Water Administrator Funds	(see H 230/Ch. 507)
S 946	Legislative Technology Oversight Comn	
S 949	Tar Reduction Research Funds	(see H 898/Ch. 542)
S 951	DEHNR Study/Environmental Regulation	(see H 898/Ch. 542)
S 952	Durham Jobs/Welfare Reform Funds	
S 954	Special Judge/Dist. Ct. Judge	(see H 230/Ch. 507)
S 956	Criminal Case Management Funds	(see H 230/Ch. 507)
S 957	UNC Visual Impairment Funds	H 1019/ H ppi (see H 230/Ch. 507)
S 958	Wayne/Greene Schools/Comm. Coll.	
S 959	Multijurisdictional Drug Task Funds	
S 960	Nashville Police/Fire Complex Funds	
S 963	NCSU Admin Officers Program	
S 964	100 Additional Troopers	(see H 230/Ch. 507)
S 965	Aid Students/Private Colleges/Funds	
S 968	NCSU Agricultural Capital Funds	
S 969	Atlantic States Marine Fisheries Compact (ASMFC)	

Summary of Bills/Resolutions Remaining in Senate

APPROPRIATIONS (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
S 970	DART Aftercare Program Funds	(see H 230/Ch. 507)
S 972	Controlled Substances Tax Agents	
S 979	Exceptional Children Funds	
S 980	Nonprofit Cont. Care Tax–Exempt	(see H 898/Ch. 542)
S 982	Campaign Reform/Election Study	(see H 898/Ch. 542)
S 984	UNC–TV Tower Funds	(see H 230/Ch. 507)
S 986	Funds/Blank Bill	
S 989	Cultural Resources/Land/Capital Funds	(see H 230/Ch. 507)
S 994	Corporation Omnibus/AB	
S 995	Parks Environmental Educ.	H 58/ H ppi
S 996	Workers' Compensation Study/LRC	(see H 898/Ch. 542)
S 1004	Grouping/Tracking Ability	H 1051/ H ppi (see H 898/Ch. 542)
S 1005	Appalachian State/Sell Power Company	
S 1006	Life Skills Program	
S 1007	Math Skills Program	
S 1008	Rebuilding Our Villages Funds	
S 1010	School of Arts	
S 1011	State Employees RIF Rights/Options	H 953/ H ppi (see H 230/Ch. 507)
S 1013	Cherry Farm/Dairy Facility Funds	(see H 230/Ch. 507)
S 1018	Agriculture/EEO Officer Funds/AB	
S 1020	Piedmont Triad Pilot School Project	H 1033/ H ppi
S 1026	Blind Supported Employment Funds	(see H 230/Ch. 507)
S 1027	Class Picture Sales Exempt	
S 1033	Department of CCPS Eliminated	
S 1034	Gaming Study Commission	
S 1036	State Nutrition Assistance Funds	
S 1038	Animal Welfare Study	
S 1044	Vaccine Program/Savings	(see H 898/Ch. 542)
S 1045	Emergency Med. Services Act Study/LRC	(see H 898/Ch. 542)
S 1048	Study Local Government Services	(see H 898/Ch. 542)
S 1050	Travel Tourism Merger Study/LRC	(see H 898/Ch. 542)
S 1053	Raleigh Outer Loop	
S 1056	Cancer/Heart Disease Research	
S 1057	Deaf Students/Redefine Educ.	(see H 230/Ch. 507)
S 1058	Administrative Law Judge Salaries	
S 1059	Senior Center Capital Funds	
S 1060	AOC Substance Abuse Pilot Program	
S 1061	Thomas S. Additional Funds	
S 1062	Family Preservation Act Changes	
S 1065	Drug Court Programs	
S 1066	Last Best Chance	
S 1067	Basic School Grant Funds	
S 1068	UNC Expand Educational Sites/Fund	(see H 230/Ch. 507)
S 1069	Litigation Reserve/St. Educ. Board	
S 1070	State/Local Gov't. Fiscal Study	(see H 898/Ch. 542)
S 1071	Common Sense Regulatory Commission	(see H 898/Ch. 542)
S 1072	Machining Tech. Partnership Funds	H 1031/ H ppi (see H 230/Ch. 507)
S 1074	Assault/Extremely Serious	
S 1079	Minority Econ. Development Funds	(see H 230/Ch. 507)
S 1081	Indust. Commission Staff/Funds	H 1047/ H ppi (see H 230/Ch. 507)
S 1082	Industrial Commission Funds	H 1046/ H ppi (see H 230/Ch. 507)

Summary of Bills/Resolutions Remaining in Senate

APPROPRIATIONS (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
S 1088	School Funding Study Commission	(see H 898/Ch. 542)
S 1089	Brevard Music Center Funds	H 1007/ H ppi
S 1090	"Something Special" Funds	
S 1093	Guilty But Mentally Ill	
S 1106	Alzheimer's Chapters' Funds	
S 1107	Federal Pension Withholding Funds	S 1156/ S Fin
S 1114	Professional Teaching Standards Comn.	H 1249/ H Rules
S 1127	1996 Retirement Benefits Act	H 1121/ H ppi
S 1128	Clean Water Management Fund	
S 1130	Maxton Historic Funds	H 1123/ H ppi
S 1134	School Facilities Guidelines	H 1105/ H ppi
S 1152	NC Cancer Institute Capital Funds	
S 1162	Computer Access/Rules	
S 1164	ECU Stadium Expansion Funds	
S 1166	VFD Workers' Comp. /Appropriation	H 1087/ H Rules
S 1168	Domestic Violence Funds	(see S 1447/S Appr)
S 1177	Alzheimer's Association/Funds	H 1302/ H ppi
S 1192	Shellfish Sanitation	H 1151/ H ppi
S 1195	Fishery Resource Grant Program	H 1076/ H ppi
S 1199	Highway Patrol Troop Building Funds	
S 1200	FSU Fine Arts Building Funds	H 1238/ H ppi
S 1204	Fire Pensions Increased	H 1218/ H ppi
S 1206	Butner Advisory Council	H 1144/ Ch. 667 (see H 229/Ch. 324)
S 1208	Summit House Funds	
S 1212	Cabarrus County Mediation Center Funds	
S 1214	Assault Law Officer/Firefighter	H 1204/ S Jud 1
S 1215	Stanly County Airport Funds	
S 1216	Martin Beaver Management Funds	
S 1219	Animal Waste Funds	H 1213/ H ppi
S 1224	Domestic Violence Funds	
S 1225	Dry Hydrant Funds	H 1235/ H ppi
S 1228	Community Penalties/Record Checks	
S 1229	Jurisdictional Amount Increase	
S 1231	Clerks of Court on Commissions	
S 1232	Civil Procedure Study Funds	H 1333/ H ppi
S 1233	Criminal Procedure Study Funds	H 1361/ H Rules
S 1235	Clerks/Year's Allowance	
S 1238	Consolidation Incentive Funding	H 1239/ H ppi
S 1240	Coalition 2001 '96 Funds	
S 1247	Northern Wayne Sewer Funds	
S 1251	Adopt-A-Trail Funds	
S 1254	Acupuncture Allowable Coverage	
S 1257	Budget Adjustments/Conforming	H 1283/ H Rules
S 1258	Museum of the New South Funds	
S 1264	Narcotics Task Force Funds	
S 1265	Future Farmers of America Funds	H 1344/ H ppi
S 1269	Bladen Community College Swine Funds	H 1293/ H ppi
S 1274	Recycling Business Assistance Ctr Funds	H 1360/ H ppi
S 1276	Institute of Government Funds	H 1305/ H ppi
S 1279	Jones Beaver Management Funds	(see H 230/Ch. 507)
S 1283	Pitt Forestry Funds	H 1304/ H ppi

Summary of Bills/Resolutions Remaining in Senate

APPROPRIATIONS (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
S 1287	Community Development Block Grant	H 1365/ H Rules
S 1289	Charter Schools Start–Up Funds	
S 1290	Butner Cemetery Funds	H 1336/ H ppi
S 1291	Criminal Penalties	H 1255/ H ppi
S 1293	DWI/Felony Prior Record Level	H 1287/ S Jud 2
S 1299	Wetlands Restoration Program/Funds	
S 1300	School Supplemental Budget Requests	
S 1305	Inmate Costs Reimburse	H 1323/ H ppi
S 1306	Sweet Potato Weevil Control Funds	
S 1309	Assault/Serious Bodily Injury	H 1243/ S Jud 1 (see H 1108/Conf Com)
S 1310	Mining/Sediment. Tech. Assist. Funds	H 1356/ H ppi
S 1311	Craniofacial Anomalies Funds	
S 1315	North Carolina Maritime Museum Funds	
S 1320	Citizen Water Quality Monitoring Program	
S 1327	Scientific Advisory Council	
S 1332	Independent Living Funds	
S 1333	Child Care Subsidy Funds	
S 1341	Cooperative Fisheries/University Project	
S 1342	Technological Development Authority Funds	
S 1346	Water Quality Appropriations	
S 1347	Agriculture Cost Share Funds	
S 1351	Riparian Buffers	(see S 1318/ S Fin)
S 1355	Waiver Program	
S 1356	Minority Economic Development Funds	
S 1357	Youth Development Funds	
S 1358	HIV Funds	
S 1359	Mycoplasma and Bacteriology	(see S 913/S Appr)
S 1361	Utility Account Funds	(see S 1275/S Fin; H 1108/Conf Com)
S 1362	Rural Tourism Development Funds	(see H 1108/Conf Com)
S 1364	Food Bank Fund	
S 1366	Nashville Police/Fire Funds	
S 1367	Pesticide Enforcement Funds	
S 1368	University Self–Liquidating	H 1367/ H ppi (see S 1411/Ch. 686)
S 1370	NCA&T Land Acquisition Funds	
S 1371	NCA&T Agricultural Research Funds	H 1409/ H ppi
S 1372	Charlotte H. Brown Site Funds	H 1450/ H ppi
S 1373	Fayetteville Business Funds	
S 1376	Columbus County Economic Development Funds	
S 1381	Grain Grading Training Funds	
S 1382	Farmville Public Library Funds	H 1444/ H ppi
S 1383	Piedmont Farmers' Market Funds	
S 1384	NCA&T Classroom Building Funds	H 1407/ H ppi
S 1387	Food Sanitation Funds	
S 1388	Food Tax Reduced	(see S 1410/S Fin)
S 1390	Rollins Laboratory	
S 1391	Food Distribution Building Funds	
S 1395	Glen Alpine Recreation Funds	
S 1401	NC Housing Trust Funds	
S 1402	Distressed County Coordinator	
S 1403	Community Reinvestment Act	
S 1406	Home Ownership Funds	

Summary of Bills/Resolutions Remaining in Senate

APPROPRIATIONS (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
S 1407	Museum of Life and Science Funds	H 1398/ H ppi
S 1408	Health Care for Children Funds	
S 1413	Reserve for Farm Loans	H 1427/ H ppi
S 1415	Eastern Livestock Arena New Funds	
S 1416	Transitional Child Care Funds	
S 1417	Coalition 2001 One–Time Funds	
S 1418	Coalition 2001 Capital Funds	
S 1419	Maternal Outreach Funds	
S 1420	Human Resources Dept. Block Grant Funds/96	
S 1421	Mountain County Funds	
S 1422	Mountain Area Local Act (Sen. District 29)	
S 1424	Cued Speech Center Funds	
S 1425	Winston–Salem State/Chancellor's Home	
S 1429	Richmond Low–Level Waste Funds	
S 1430	Richmond Community College Funds	
S 1431	Richmond Youth Baseball Funds	
S 1432	NC High School AA Capital Funds	
S 1433	Richmond Historical Funds	
S 1434	Effluent Disposal Funds	
S 1435	Principal Clerk Experience Credit	
S 1436	Property Office Staff Funds	
S 1438	Legislative Per Diem Reduced	
S 1439	Community College Challenge Grants	
S 1440	Franklin Livestock Facility Funds	
S 1443	Pay Phone Rates	
S 1444	NC Senior Games Funds	
S 1445	Museum of Natural Sciences Funds	
S 1446	Core Sound Waterfowl Museum Funds	
S 1447	Domestic Violence Program Funds	(see S 1168/ S Appr)
S 1448	NCCU Research Funds	
S 1449	Lost Colony Historical Drama Funds	
S 1450	Scotland County Industrial Development Funds	
S 1451	State Ports Maintenance Funds	
S 1452	Disabled Children/Facility Funds	
S 1453	Model School Program Development	
S 1454	Excellence in Teaching Reward	
S 1455	Child Advocacy Institute Funds	
S 1456	Cultural, Historical, Educational Sites/Funds	
S 1457	Early Childhood Initiatives	
S 1459	Child Advocacy Institute Funds	
S 1460	UNC Diabetes Expansion Funds	H 1432/ H ppi
S 1461	Community–Based Alternative Youth Services' Funds	
S 1462	L. R. Harrill Center Funds	H 1442/ H ppi
S 1463	FTCC Childhood Education Center Funds	
S 1465	School for the Deaf Road Funds	
S 1467	Finance Correction Enterprises Projects	H 1437/ H ppi
S 1468	NCCU Safety Funds	
S 1470	Raleigh Economic Development Funds	
S 1471	Global Affairs/NC Role/LRC	
S 1473	Reading Emphasized	

Summary of Bills/Resolutions Remaining in Senate

APPROPRIATIONS (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
S 1474	Adult Care/Nursing Homes	
S 1475	IMPACT Study Funds	
S 1477	High School Graduates Grants	
S 1479	Drug Law Amendments	
S 1480	Adopt–A–Beach	
S 1482	Abortions/Ban Partial–Birth	
S 1483	Teacher Assistant Salary Increase	
H 5	Public Assistance Responsibility	S 48/ S Ch&HumRes
H 17	Food Stamp Fraud Felony	S 49/ S Jud 2
H 81	Mandatory Jail for Some D.W.I.	
H 192	RRC Changes/Leg. Oversight	S 215/ S Jud 1 (see H 230/Ch. 507)
H 225	Divorce Education Program	
H 268	Witness Travel Fees	
H 304	Procurement Council	
H 306	Provisions Extended	
H 467	Minor Exploit/Increase Penalty	
H 554	Water Safety Signal Flag	
H 568	Vehicle Damage Disclosure	
H 821	Breast Feeding, Encourage	
H 868	Adoption Fund	
H 871	Low Performing Schools Assistance	
H 881	Alternative Teacher Certification	
H 984	UNC Self–Liquidating Cap. Projects	S 765/ S Appr (see H 230/Ch. 507)
H 995	Venture Capital Investment Incentive	
H 1165	Incentives to Increase Charitable Giving	

BASE BUDGET — NONE —

CHILDREN AND HUMAN RESOURCES

S 48	Public Assistance Responsibility	H 5/ S Appr
S 50	Child Day Care Payments	H 18/ S Ch&HumRes
S 67	Food Stamp EBT	H 16/ S Ch&HumRes (see H 230/Ch. 507)
S 68	Food Stamp Workfare	H 24/ S Ch&HumRes
S 91	Responsibility/Encouragement Act	
S 371	Day Care Provider Records	H 259/ H Wel&HumRes/Fam (see H 230/Ch. 507)
S 803	Dental Care for Nursing Home Residents	
S 905	Student Housing Fire Protection	
S 930	Pharmacists Direct Reimbursement	H 787/ Ch. 223
S 936	Families/Disabilities Support Act	H 822/ H Wel&HumRes
S 998	Bodywork Therapies Practice	
S 1000	Inmate Health Care Limit	
S 1029	School Health Services Limited	H 878/ S Ed/HighEd
S 1047	Recovery Care Centers	
S 1110	Home, Community Care Aging Funds	
S 1197	Area Authority Accountability	H 1237/ Ch. 749
S 1236	Child Fatality Task Force Data Report	H 1294/ S Ch&HumRes
S 1312	Public Health Authority Act	H 1271/ H ppi

Summary of Bills/Resolutions Remaining in Senate

CHILDREN AND HUMAN RESOURCES (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
H 16	Food Stamp EBT	S 67/ S Ch&HumRes (see H 230/Ch. 507)
H 18	Child Day Care Payments	S 50/ S Ch&HumRes
H 24	Food Stamp Workfare	S 68/ S Ch&HumRes
H 86	Social Services Paternity ID	
H 380	Prop. Lim./Special Assist/AB	
H 413	M.H. Facility Definition Change/AB	
H 479	AFDC Fraud Control Program	
H 744	Rest Hm. Penalty/ Patient Unattended	
H 935	Rest Home Alarms Mandated	
H 1052	AFDC Employment/Workfare/Funds	
H 1139	State Personnel Grievance Procedure	S 1353/ S Jud 1
H 1148	OSP Functions Decentralized	
H 1220	Personnel Director Qualifications	
H 1278	Dependent Juvenile Def. Change	S 1241/ H Rules
H 1294	CFTF Data Report	S 1236/ S Ch&HumRes
H 1316	Child Fatality Task Force Records Conf.	S 1237/ S Jud 1

COMMERCE

S 96	Eastern Convention Ctr/Study	
S 124	Banks Commissioner (Lingerfelt)	H 91/ Res. 2
S 175	Mining on Federal Land	
S 205	Community Reinvestment Act	
S 224	Local Telephone Competition	H 161/ Ch. 27
S 329	Ports Tax Credit/AB	H 396/ Ch. 495
S 389	State Controller Duties/AB	H 394/ H StGov
S 397	Natural Gas Franchises	H 366/ Ch. 216
S 418	Furniture Contracts	H 301/ Ch. 136
S 419	Procurement Council	H 304/ S Appr
S 446	Partnership for Quality Growth	(see H 898/Ch. 542)
S 463	Alternative Fuel Loan Fund	
S 464	State Energy Policy	H 279/ H Fin
S 495	Small Business Capital & Growth Act	H 475/ H ppi
S 608	N.C. Progress Board/AB	
S 758	Prescription Drug Pricing/Access	
S 766	Corr. Enterprises Partnerships	
S 849	Work Breaks	
S 885	Building Code Compliance	
S 1002	Sandhills Regional Economic Dev.	
S 1022	Licensing Home Inspectors	
S 1064	Job–Training Improvements/Funds	
S 1163	Interstate Banking Act	
S 1209	Financial Institutions Holiday Amended	H 1189/ Ch. 556
S 1256	High–Voltage Line Safety Act	H 1233/ Ch. 587
S 1352	Psychology Practice Act	H 1349/ H Rules
H 164	Child Support 2	
H 358	Unsolicited Calls Time Limit	
H 640	Guilford County School Purchases	
H 802	Reciprocal Bid Preferences	
H 933	Equitable Liquidation/Conversion	

Summary of Bills/Resolutions Remaining in Senate

EDUCATION/HIGHER EDUCATION

S	18 School Budget Flexibility	
S	73 Teacher/Teacher Ass't. Funds Use	
S	98 Public Instruction Reorg. Plan	H 8/ H Educ
S	100 St. Bd. of Education/Constitutional Auth.	H 7/ Ch. 72
S	132 Caldwell School Pay Date Change	H 181/ Ch. 12
S	139 Special Ed. "Labeling" Limited	
S	424 Teacher Scholarship Program Changes	S 453/ Ch. 435
S	460 Administrator Standards Board Changes	H 235/ Ch. 116
S	539 Confirmation/State Bd. of Educ.	
S	635 Wake School Construction Contracts	H 633/ H ppi
S	656 Mecklenburg Districts	
S	756 High School Students/Community College	
S	788 Teach Abstinence Until Marriage	H 834/ Ch. 534
S	822 Guarantee Religious Freedom in Schools	
S	847 Central School for Deaf Abolished	
S	941 Charter Schools Act of 1995	
S	977 Postsecondary Education Program	
S	1087 Implement State Education Board Proposals	
S	1115 School Facilities Bonds	(see S 1129/S Educ; H 1100/Ch. 361)
S	1129 1996 School Bonds Act	H 1100/ Ch. 631
S	1133 School Facilities Trust Fund	H 1104/ Cal Rule 36(a)
S	1135 School Budget Act Amendments	H 1102/ Ch. 666
S	1137 School Acquisitions	(see S 1174/Ch. 651; H 1205/Ch. 702)
S	1326 Comm. Coll. Educ. Improvement Act	H 1303/ H ppi
S	1464 School Operating Funds for Capital	
H	166 Jackson School Elections	
H	202 Moment of Silence	S 140/ Ch. 497
H	512 CC Health Students/Immunization	
H	877 Abolish End-of-Course Testing	
H	878 School Health Services Limited	S 1029/ S Ch&HumRes
H	906 Education Material in Schools	
H	908 Character Education Required	
H	917 Literacy Restoration Act of 1995	
H	1334 Cherokee County Schools Pay Date Change	

FINANCE

S	10 Deduction for Children by $500.00	
S	11 Standard Deduction Raised	
S	12 Corporate Income Tax Reduced	
S	36 Taxpayer Bill of Rights	H 129/ H Fin
S	39 Taxpayers Protection Act	
S	42 One-Time Tax Rebate	
S	66 Taxpayer Protection Act	H 3/ Conference
S	69 Tax Relief/Competitiveness/AB	H 35/ H ppi
S	78 Personal Exemptions Index	
S	79 Corporate Income Tax Lower	
S	92 Volunteer Fire Vehicles Tax Exempt	
S	93 License Athletic Trainers/AB	
S	97 One-Time Tax Rebate	
S	109 Aquaculture Sales Tax Exemption	H 55/ Ch. 477
S	123 Intangibles Tax/Mandates Repeal	
S	144 Intangibles Tax Filing Threshold	

Summary of Bills/Resolutions Remaining in Senate

FINANCE (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
S 151	Motor Oil Tax/Used Oil Program	
S 189	Fee Law Changes – 1	
S 190	Fee Law Changes – 2	
S 191	Fee Law Changes – 3	
S 193	Tax Law Amend – 2	
S 194	Tax Law Amend – 3	
S 195	Issuance of Bonds – 1	
S 196	Issuance of Bonds – 2	
S 197	Issuance of Bonds – 3	
S 251	Soft Drink Tax Phase Out	H 223/ Ch. 474
S 252	Purple Heart Spouses Plates	
S 299	Merchants' Sales Tax Discount	H 347/ H Fin
S 316	Apex Satellite Annexations	H 381/ Ch. 82
S 324	Victims Compensation Funds/AB	H 430/ H ppi
S 376	Jobs Tax Credit/AB	(see H 898/Ch. 542)
S 393	Food Sales Tax Repeal	H 397/ H ppi
S 462	Fuel Tax for Alternative Fuels	
S 472	Uniform Occupancy Tax Rules	H 541/ H Fin
S 494	Alt. Fuel Facility Tax Credit	H 276/ H Fin
S 497	Jobs Tax Credit	
S 517	Burke EMS Fee Collection	
S 552	Hospital Co. Contracts	
S 569	Extend 30–Day Tax Protest Period	
S 574	Franklin School Revenue Options	
S 576	Alleghany Land Transfer Tax	H 605/ H Fin
S 584	ASU Self–Liquidating Proj. Authorization	H 390/ Ch. 452
S 586	Cabarrus Sales Tax for Schools	
S 593	Funeral Contract Investments	
S 607	UNC/NCSU/ECU Football	H 808/ H Educ
S 611	Court Costs Increase	
S 665	School Buses Tax	H 722/ H Fin
S 671	Durham Occupancy Tax Increase	
S 690	Debt Dealer Tax Repeal	
S 702	Small Business Gain Exclusion	H 813/ H Fin
S 711	Durham Improvements Fees	
S 718	Chatham Impact Fee Amendments	
S 727	Halifax School Acquisition	
S 745	Property Donations Credit Limit	
S 760	D.M.V. Officer Powers	H 569/ H Transp
S 761	Local Debt Setoff	
S 797	Diesel Fuel Payment Method	H 975/ H ppi (see H 898/Ch. 542)
S 806	Community College Capital Funds	
S 820	School Sales Tax Refunds	
S 826	Corporate Income Tax Phase Down	(see S 1271/S Fin)
S 837	Soil Scientists Licensing	H 826/ Ch. 414
S 854	Erosion Damage Liability	
S 857	Hunting License Fees/Nonresident	
S 910	Food Tax Reduced	H 404/ H Fin
S 916	Farm Mediation/Prelitigation	H 913/ S Fin
S 933	Farm/Industry Fuel Tax Reduced	
S 947	Caregiver Criminal Record Checks	

Summary of Bills/Resolutions Remaining in Senate

FINANCE (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
S 991	Wetlands Program/Mitigation Bank	
S 997	Rental Vehicle Property Tax	
S 1019	Property Tax Refund	
S 1052	Transit Authority Vehicle Rental Tax	
S 1076	Nursing Home Admin. Act Fees	
S 1083	Public School Volunteerism Tax Credit	
S 1085	Fees Tax Deductible	
S 1092	Private Protective Services Changes	
S 1111	30–Day Rule Repeal	H 1281/ H ppi (see H 1296/S Fin)
S 1156	Federal Pension Withholding Funds	S 1107/ S Appr
S 1171	Surry School Acquisition	
S 1202	Condemnation/Local Consent (Alleghany/Surry)	
S 1226	1996 Tax Reform Act	H 1093/ S Fin
S 1234	Intangibles Tax Refund	
S 1262	Audiovisual Masters	
S 1266	Pitt School Acquisition	
S 1268	New Hanover School Acquisition	
S 1271	Corporate Income Tax Phase Down	H 1217/ H Fin (see S 826/S Fin)
S 1272	Cellular Phones Sales Tax	
S 1275	Quality Jobs and Business Expansion	H 1343/ H Fin (see S 1361/S Appr; H 1108/Conf Com)
S 1281	Jail Fees Increase	
S 1282	Martin School Acquisition	
S 1285	Environmental Mgmt. Comn. Fees	H 1317/ H ppi
S 1303	Medical Savings Accounts	H 1312/ H ppi
S 1304	Food Tax Repeal/Freeze Hiring	H 1079/ S Fin
S 1307	Wilson School Acquisition	
S 1318	Riparian Buffers Program	H 1340/ H ppi (see S 1351/S Appr)
S 1335	School District Sales Tax Refunds	H 1146/ H ppi
S 1337	Individual Income Tax Reduce	
S 1338	Corporate Income Tax Reduce	
S 1339	Cigarette Tax Reduce	
S 1340	Sales Tax Reduce	
S 1350	Civil Penalties/Insurance/Mfd. Housing Board	
S 1363	Homestead Exemption	H 1402/ H ppi (see H 1404/S Fin)
S 1404	License Volunteer Physicians	
S 1410	State Lottery Referendum – 1996	(see S 624/**S Failed 2nd Rdg**; S 1388/S Appr)
S 1426	Pender Impact Fees	
S 1458	Food Tax Credit	
S 1466	Employment Sec. Comn. Reserve Refund	
S 1472	Privilege License Taxes Repeal	
H 39	Raeford Sales Tax Refund	S 75/ Ch. 16
H 140	Insurance Lapse Penalty Changes	
H 422	N.C. Enterprise Corporations/AB	
H 585	Air Bag Replacement—Notice	
H 619	School Construction Contracts	S 433/ S LocGov
H 655	Raleigh Zoning Notices	
H 825	Funeral/Cremation Laws	
H 852	Motor Fuel/Use Tax Changes	H 139/ H Fin
H 865	Landscape Architect Exam Fees	

Summary of Bills/Resolutions Remaining in Senate

FINANCE (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
H 913	Prelitigation Farm Mediation	S 916/ S Fin
H 986	White Goods Tax Reduce	
H 1013	Liquor Tax Illegal	
H 1079	State Food Tax Repeal/Freeze Hiring	S 1304/ S Fin
H 1093	1996 Tax Reform Act	S 1226/ S Fin
H 1242	Sales Tax Free Item	
H 1259	Federal Retirees Refund	(see S 250/S Appr)
H 1289	Lincolnton–Lincoln Airport Authority	
H 1296	30–Day Tax Protest Rule Repeal	(see S 1111/S Fin)
H 1404	Homestead Exemption	(see S 1363/S Fin)
H 1422	Wilson's Mills	

JUDICIARY I/CONSTITUTION

S 37	Term Limits	
S 43	Veto Conforming Changes	
S 47	Initiative/Const. Amd.	H 10/ **H Failed 2nd Rdg**
S 55	Veto/Const. Amd.	H 11/ H Jud 1
S 70	Term Limits/Const. Amd.	H 12/ **S Failed 2nd Rdg**
S 71	Congressional Term Limits	H 13/ **H Failed 2nd Rdg**
S 74	Supt. Pub. Instruction Appointed	
S 101	General Assembly Approve Rules	H 175/ H Jud 1
S 171	Landowner Protection Act	H 127/ Ch. 308
S 201	Landowner Protection	H 119/ H Jud 1
S 215	Legislative Approval of Rules	H 192/ S Appr
S 216	Pres. *Pro Tempore* RRC Appointments	
S 217	Rule Notice Subject Matter	H 194/ H Jud 1
S 218	Standards for RRC	H 193/ H Jud 1
S 227	RR Trespassing/Crossing Safety/AB	H 243/ H Transp/Air/Rail&Water
S 234	Undisciplined Juveniles/Raise Age	
S 253	Exclusionary Rule/Const. Amendment	
S 272	Child Restraints	
S 298	Governor's Task Force on DWI/AB	H 353/ Ch. 506
S 305	Pyrotechnics Sale	H 280/ Ch. 475
S 356	Concealed Handgun Permit	
S 361	Juvenile Pilot Program	H 255/ H ppi
S 380	Juvenile Commitments	H 249/ H ppi
S 400	DWI Vehicle Impound/Confiscation	
S 401	Death by Vehicle + DWI = Lifetime Revocation	
S 403	Restitution/Require	
S 434	N.C. Lien Law	(see H 898/Ch. 542)
S 438	ABC Liability/Social Host	
S 469	Joint Municipal Power Amendments	H 556/ Ch. 412
S 484	Habitual Impaired Driving Revocations	
S 508	IC Mediation/Sunset Off	
S 520	Juvenile Indecent Liberties	H 72/ Ch. 494
S 537	Ski Privilege Violations	
S 603	Tobacco Sales/Minors	H 766/ Ch. 241
S 604	Forsyth Jails House Juveniles	
S 625	Marijuana Trafficking Amounts	
S 660	Youth–Alcohol DL Revocation	
S 696	ABC–Local Gov. Regulate Possession	H 645/ Ch. 366

Summary of Bills/Resolutions Remaining in Senate
JUDICIARY I/CONSTITUTION (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
S 697	Beach Towns ABC Possession	
S 719	Juvenile Transfer to Superior Court	
S 720	Emancipation by Parents	
S 744	Chiropractors Discipline	H 829/ Ch. 188
S 749	Construction Contracts/Government	H 522/ H Jud 2
S 789	Medical Records/Copy Cost	
S 812	Small Claims Amount	
S 825	Jury Trial/Noncapital Cases	
S 840	Drug Test for DWI	
S 856	Felony Penalties Increase	
S 868	Domestic Violence/No Firearm	
S 869	ABC Area/Redefine Special	
S 887	Criminal Records Law	
S 907	Service of Process	
S 924	Debtor's PI Exemption Limit	
S 928	Shareholder Derivative Actions/AB	
S 937	Domestic Elder Abuse or Neglect	
S 942	Capital Case Proportionality Review	
S 944	Equine Activity Liability	
S 993	Fingerprint/Photo. Juveniles/AB	
S 1009	Testimony/Insanity Defense	
S 1016	Handguns for Felons	
S 1024	Subcontractor Claims/Gov't. Bldgs.	
S 1028	Active Sentences Required	
S 1030	Structured Sentencing	H 720/ H Jud 2
S 1039	N.C. Fair Campaign Act	
S 1040	Positive Campaigns	
S 1051	ICF/MR Criminal Record Checks/AB	
S 1091	Real Property Lien Law	
S 1167	Sex Offender Registration	
S 1170	Mold Lien Act	H 1164/ Ch. 744
S 1196	Rental Equipment Liens	H 1163/ Ch. 607
S 1213	Buncombe/Cancellation by Exhibition	(see S 125/Ch. 604)
S 1237	CFTF Confidential Records Change	H 1316/ S Ch&HumRes
S 1259	Budget/Constitutional Amendment	H 1282/ H Jud 1
S 1261	DWI–Indefinite Civil Suspension	
S 1295	Salary Continuation/Dept. of Correction	H 1322/ H ppi
S 1322	Residential Building Code Rules Review	H 1364/ H Rules
S 1323	Substance Abuse Certification Rule	H 1362/ H Rules
S 1329	Rules Sunset	
S 1353	State Personnel Grievance Procedure	H 1139/ S Ch&HumRes
H 111	Juvenile Open Records/Identity	
H 195	Superior Court Judges by District	
H 402	Foster Parent Criminal Checks/AB	S 164/ S Appr
H 403	Day Care Provider Records/AB	S 165/ S Appr
H 494	Assault Law Officer With Gun	
H 495	Law Enforcement Animal Injury	
H 534	Passing Stopped School Bus	
H 817	Environmental Audits	
H 893	Environmental Permit Appeals	S 953/ S Jud 2

Summary of Bills/Resolutions Remaining in Senate

JUDICIARY I/CONSTITUTION (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
H 1204	Assault Law Officer/Firefighter	
H 1243	Assault/Serious Bodily Injury	(see H 1108/Conf Com)
H 1411	Outlaw Dog Fights	

JUDICIARY II/ELECTION LAWS

S 14	Contribution Limits	
S 29	Capital Cases/Revise Appeal Process	
S 34	Death by Administration of Lethal Drugs	
S 40	Absentee Voting Revision	H 27/ H ppi
S 45	Criminal Appeals	H 9/ Ch. 719
S 46	Prison Cap Repeal	H 4/ H ppi
S 49	Food Stamp Fraud Felony	H 17/ S Appr
S 64	No Frills Prisons	H 15/ S Jud 2
S 72	N.C. Resource Ctr.	H 14/ H ppi
S 80	Criminal Calendar Transfer	H 32/ H ppi
S 86	Estate Accounting Liability	
S 156	Weapon Exempt./Firefighters/EMS	H 71/ Ch. 49
S 168	Outdoor Advert./Just Compensation	H 220/ S Jud 2
S 173	Advance Notice of Rule Making	
S 183	Drug Sales Penalties	H 150/ H Jud 2
S 184	Misdemeanor Levels Relabel	
S 185	Misdemeanor Assault Penalty	H 176/ H Jud 2
S 187	Impaired Driving/Prior Records	H 151/ H Jud 2
S 208	Criminal Tech./Clarifying Amend.	H 157/ H ppi
S 212	Drugs/No Unemployment	
S 246	Contribution Limits – 2	
S 273	Campaign Finance Reports/Special Election	
S 297	Indigent/Capital Cases	
S 322	Voters Sign Pollbook	
S 358	Life Without Parole Review	
S 395	Concurrent Jurisdiction/AB	
S 409	Party Alignment Rotated	H 509/ S Jud 2
S 411	NCCJETSC Member	
S 417	Correction Enterprises	H 303/ H Bus&Labor/EconExp
S 468	Direct Control of County Boards	H 875/ H Rules
S 479	Drug Treatment Court Act	
S 492	Self-Insurers/Attorneys' Fees	
S 545	Medical Record Fees	H 741/ H ppi (see H 898/Ch. 542)
S 601	Blowing Rock Absentee Voting	
S 617	Jury Trial on Annexation	
S 655	Drug Offense Penalties	
S 657	Building Code Revisions	
S 729	State Medical Care Costs	
S 730	Fire Misdemeanors Reenacted	
S 734	Abortion/Right to Know	H 624/ H ppi
S 735	Parental Consent/Abortion	H 481/ Ch. 462
S 736	Contract Provisions Enforced	
S 750	Voting/Extending Terms	H 827/ H Jud 2
S 762	Appeals of Right/Supreme Court	
S 763	Roller Skating Rink Liability	
S 782	Domestic Violence Changes	

Summary of Bills/Resolutions Remaining in Senate
JUDICIARY II/ELECTION LAWS (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
S 786	Health Care Collaborative Practices	H 774/ Ch. 382
S 791	Election Methods Alternative	
S 808	After Death Sales Regulated	
S 809	*Ex Parte* Funding/Supporting Services	
S 819	Elections Day After Tax Day	
S 827	Infractions/Jury Trials	
S 831	Firearm/Drug Offense/Possess	
S 842	Grandparent Visitation	
S 863	Presidential Primary Changed	
S 870	Drug Testing Labs	H 970/ Ch. 383
S 875	Captive Wild Animal Protection	
S 889	Credit Cards Insurer Use	
S 925	Attempting to Elude	
S 938	Poll Time 9:30	
S 950	Environmental Permit Appeals	H 816/ H Hlth&Envir
S 953	Environmental Permit Appeals	H 893/ S Jud 1
S 978	Health Care Self–Referral	
S 985	Capital Punishment Procedure	
S 1032	Emergency Management Compact	
S 1035	Bail Bond Forfeitures	
S 1037	Tobacco Sales to Minors	
S 1043	Seat Belt/Damages Limit	
S 1073	Life Sentence Appeals	
S 1075	SBI Subpoena Authority	
S 1104	Medical Evaluation Reports to D.M.V.	H 1232/ H Trans
S 1119	Friday Canvass	H 1158/ Ch. 553
S 1120	Voter's Testimony	H 1162/ Ch. 694
S 1121	Election At–Large Methods	H 1161/ H Jud 2 (see S 791/S Jud 2)
S 1124	Pollworker Split Shifts	H 1173/ Ch. 554
S 1125	Gifts/Federal Political Action Committee	H 1157/ Ch. 593
S 1158	Workers' Compensation Fraud	S 1253/ S Jud 2; H 1091/ H Cal 36(a)
S 1159	Workers' Compensation Pauper Appeals	H 1089/ Ch. 552
S 1160	Workers' Compensation/Subcontractors	H 1090/ Ch. 555
S 1175	Water Testing Rules	H 1128/ H ppi
S 1184	Annexation Changes/Smaller Cities	H 1084/ S Held as Filed
S 1185	Annexation Changes/Larger Cities	H 1082/ S Jud 2
S 1186	Condemnation Changes	H 1174/ **H Failed 2nd Rdg**
S 1187	ETJ Notice/Hearing/Appointments	H 1083/ Ch. 746
S 1230	Towed Vehicle Disposal	H 1268/ Ch. 635
S 1242	Safety Inspection	H 1113/ H Trans
S 1253	Workers' Compensation Fraud	S 1158/ S Jud 2; H 1091/ H Cal 36(a)
S 1292	Juvenile Commitment Length	H 1207/ Ch. 609
S 1336	Abduction From Legal Custodian	H 1301/ Ch. 745
H 15	No Frills Prisons	S 64/ S Jud 2
H 160	Drug–Free Housing	
H 220	Outdoor Advert./Just Compensation	S 168/ S Jud 2
H 434	Attempting to Elude Arrest/AB	
H 468	Felony Child Abuse/Increase Penalty	
H 509	Party Alignment Rotated	S 409/ S Jud 2
H 511	Video Return/Sales Tax	

Summary of Bills/Resolutions Remaining in Senate

JUDICIARY II/ELECTION LAWS (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
H 533	Winston–Salem *Lis Pendens*	S 309/ Ch. 158
H 668	Alamance School Elections	
H 789	Roller Skating Rink Liability	S 763/ S Jud 2
H 791	Three Strikes and You Walk	
H 842	Uniform Fraudulent Transfer Act	
H 891	Telecommunications Fair Use	
H 911	Politics Taxpayer Subsidized	
H 940	Criminal/Civil Procedure Changes	
H 1082	Annexation Changes/Larger Cities	S 1185/ S Jud 2
H 1244	Appeal Bond Changes	
H 1264	Cert. Copies/Custody and Wills	
H 1265	Courts Commission Membership	
H 1287	DWI/Felony Prior Record Level	S 1293/ S Appr
H 1291	Food Stamp Felony Fraud	(see H 230/Ch. 507)
H 1320	Certified Notice Eliminated	

LOCAL GOVERNMENT AND REGIONAL AFFAIRS

S 222	Seven Lakes/Highway Laws Apply	
S 429	Scotland County Local Act–2	
S 432	Mecklenburg Force Account Labor	H 618/ Ch. 219
S 433	Charlotte Repair/Construction Limit	H 619/ S Fin
S 509	Pender Commissioner Districts	H 598/ Ch. 68
S 532	Burke County/Lake James	
S 553	Nash County Local Act	
S 581	Winston–Salem Housing Code	
S 605	Winston–Salem ABC Possession	
S 666	Sedalia Incorporated	
S 675	Morganton–Lenoir Airport Authority	
S 1131	Maxton Property Conveyance (Robeson)	H 1112/ Ch. 576
S 1153	Lumber Bridge Stagger Terms (Robeson)	H 1185/ Ch. 570
S 1154	Lumberton Abandoned Structures (Robeson)	H 1181/ Ch. 733
S 1302	Iredell/No Same–Sex Marriages	
S 1321	Rockingham Dam (Richmond)	
S 1369	Maggie Valley Charter (Haywood)	H 1230/ Ch. 558
S 1405	Surry/3rd Degree Trespass	
S 1414	Washington Hunting	
S 1427	Richmond Local Act – 2	
S 1428	Richmond Local Act – 1	
H 167	Macon Sheriff's Funds	
H 309	Pamlico GIS Records Exception	
H 370	River Bend Zoning/Annexation	
H 626	Scotland County Fire Districts	
H 648	Mooresville Fix Derelict Buildings	
H 1381	Haliwa–Saponi Tribe (Halifax/Warren)	
H 1400	Polk/Harmon Field Supervisors	S 1377/ Ch. 685

PENSIONS & RETIREMENT/INSURANCE/STATE PERSONNEL

S 145	State Employee Incentive Program	
S 292	Early Retirement Penalty	
S 301	Managed Care Changes/AB	

Summary of Bills/Resolutions Remaining in Senate

PENSIONS & RETIREMENT/INSURANCE/STATE PERSONNEL (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
S 313	Legislative Retirement Option	H 559/ H ppi
S 368	Fam. Therapists/Direct Payment/AB	H 503/ **H Unfav**
S 392	State Veterans Home Program	H 437/ Ch. 346
S 566	OB/Gyn Access	H 773/ Ch. 63
S 700	Mental Health Coverage	H 958/ Ch. 157
S 802	Firefighter Classifications	H 786/ H ppi
S 830	Insurers/Assign Claims	
S 932	Insurance Reform	
S 1025	Self–Insureds Financial Responsibility	
S 1031	Insurance Rates and Liability	
S 1140	Beach Plan Reserve Fund	H 1192/ Ch. 579
S 1141	Nonfleet Motor Vehicle Definition	H 1199/ Ch. 730
S 1142	Medicare Supplement Policies	H 1194/ S Pens
S 1143	Consent to Rate	H 1201/ Ch. 668
S 1144	Beach Plan Participation Formula	H 1200/ Ch. 592
S 1145	Uninsured/Underinsured Coverage	H 1198/ S Pens
S 1147	Continuing Care Facility Supervision	H 1193/ Ch. 582
S 1149	Small Employer Health Plans	H 1202/ Ch. 669
S 1157	Loss Costs Cleanup	S 1252/ S Pens; H 1086/ Ch. 729
S 1252	Loss Costs Cleanup	S 1157/ S Pens; H 1086/ Ch. 729
H 295	Rental Car Ins./Priority Claims	
H 438	State Personnel Act/AB	S 405/ Ch. 141
H 442	Retirement/Federal Compliance/AB	S 341/ Ch. 361
H 1191	Beach Plan Additional Coverage	S 1148/ Ch. 740
H 1194	Medicare Supplement Policies	S 1142/ S Pens
H 1198	Uninsured/Underinsured Coverage	S 1145/ S Pens
H 1423	Mecklenburg Law Officers' Fund	

RULES AND OPERATION OF THE SENATE

S 206	Joint Legis. Utility Committee	H 222/ Ch. 440
S 235	Miss America/Address Joint Session	H 209/ H Adopts
S 526	Trustees/University System	H 630/ H ppi
S 587	Cabarrus Local Act – 2	
S 588	Cabarrus Local Act – 1	
S 589	Cabarrus Local Act – 3	
S 599	Scotland County Local Act	
S 609	Fayetteville Local Bill – 2	
S 613	Fayetteville Local Bill – 3	
S 626	Cumberland Local Act – 2	
S 628	Fayetteville Local Bill – 2	
S 638	District 29 Local Act – 2	
S 673	Rowan Local Act – 1	
S 674	Rowan Local Act – 2	
S 692	President's Appointments	
S 715	Mecklenburg Police Districts	
S 716	Moore School Board	
S 777	UNC Funds	
S 778	Community College Funds	
S 779	Public School Funds	
S 794	Public School Funds	
S 795	Community College Funds	

Summary of Bills/Resolutions Remaining in Senate

RULES AND OPERATION OF THE SENATE (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
S 796	UNC Funds	
S 800	Restructure School System – 1	
S 801	Restructure School System – 3	
S 948	Outside Counsel/Joint Select Committee	(see H 898/Ch. 542)
S 1077	Lake Gaston Settlement	
S 1099	Mem./Representative Nancy Chase	(see S 1489/Res. 20; H 1228/Res. 18)
S 1101	Mem./Amy Jean Jackson	
S 1103	1995 Adjournment/*Sine Die*	
S 1105	Enabling/Technical Amendments	
S 1109	Ports Study	H 1175/ H Rules
S 1132	Crime Control/Public Safety Study	H 1229/ H ppi (see H 229/Ch. 324)
S 1138	School Law Revision Commission	H 1245/ H Rules
S 1205	Princeville Cemetery/Funds	H 1222/ H ppi
S 1210	Mem./James Gordon Hanes, Jr.	(see S 1484/Res. 16)
S 1211	Mem./Gov. John Motley Morehead	(see S 1486/Res. 22)
S 1227	Mem./Earl of Granville/Granville Co.	(see S 1490/Res. 23; H 1276/Res. 19)
S 1248	President *Pro Tempore* Appointments	
S 1249	President *Pro Tempore* Appointments–2	
S 1288	Child Fatality Task Force Extension	H 1315/ H Rules
S 1316	Senate President Appointments	
S 1325	Confirmation/Appointments	H 1171/ S Rules
S 1331	Welfare Study Commission Continued	H 1292/ H Rules (see H 230/Ch. 507)
S 1334	Medicaid Study Extension	H 1318/ H Rules (see H 230/Ch. 507)
S 1488	Enabling/Burning Religious Structures	H 1453/ Res. 28
S 1494	Adjournment Postponement Offer	
H 106	Speaker and *Pro Tempore* Terms Limit	
H 124	War on Drugs Redeclared	
H 174	Confirmation/Executive Appts.	
H 352	Primary Date Earlier	
H 450	Declaration/Federation of the World	
H 571	Mem./Spaight, Blount, & Williamson	
H 673	State Gov't Bds & Comns Restructure	
H 850	Hon./Colonel Henry Kendall, Jr.	
H 855	Local Government Contracting	
H 943	Ex-Governor/*Emeritus*/BOG	
H 1056	Taiwan/United Nations	S 1097/ S Held/ Clerk's Office
H 1068	Mem./Stephen Cabarrus/Concord	
H 1155	State Building Evacuation	
H 1169	Boards and Commissions Abolish	
H 1171	Confirmation/Appointments	S 1325/ S Rules
H 1180	Trustees/College of the Albemarle (Pasquotank)	
H 1436	Speaker's Appointments	

TRANSPORTATION

S 77	Trucks Using Multilane Highways	
S 233	Winston–Salem Loop Deleted	
S 284	Fire/Rescue Access Funds	
S 743	DMV Law Enforcement Jurisdiction	
S 915	Neighborhood Public Roads	
S 983	Seat Belts/Inspect	
S 1250	Privatize DMV Tag Offices	

Summary of Bills/Resolutions Remaining in Senate

TRANSPORTATION (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
S 1255	Rail Safety Transfer	H 1172/ Ch. 673
S 1349	Radio Island Railroad Trestle	(see H 229/Ch. 324)
H 903	Motor Vehicle Dealer Audits	
H 1183	60 Days to Change DMV Info	
H 1337	Emissions Inspection Penalties	S 1298/ H Cal 36(a)

WAYS AND MEANS — NONE —

UNFAVORABLE REPORT FOR AMENDMENT AS COMMITTEE SUBSTITUTE (* Title Change)

Bill No.	Short Title	Identical Bill/Rewritten by Committee
S 5	School Governance Changes	Judiciary I/Constitution
S 6	Victims Rights Amend.	H 64/ Judiciary I/Constitution
S 13	Unemployment Tax Cut	Finance
S 15 *	Streamline State Education Agency	Education/Higher Ed.
S 19	Sch. Improvement Incentives/Funds	Education/Higher Ed.
S 21 *	Use of Teacher Assistant Funds	Education/Higher Ed.
S 22	School Tech. Reserve Funds Allocate	Appropriations
S 24	School Testing on Basics	H 927/Education/Higher Ed.
S 26	School Expulsion Modified	Judiciary I/Constitution
S 27	Prison Cap Repeal	Judiciary II/ElecLaws
S 28 *	Crim. Penalties Increase	Judiciary II/ElecLaws
S 31	Private Prisons	H 51/Judiciary II/ElecLaws
S 35 *	1995 Welfare Reform	H 19/ Children & HumanRes
S 35	Partnership for Independence	H 19/Appropriations
S 38 *	Campaign Reporting	Judiciary II/ElecLaws
S 41 *	*Pro Se* Indigent Prisoners/AB	H 398/Judiciary II/ElecLaws
S 44	Sports Teams Registration Plates	Finance
S 51 *	Remove Dangerous Students From Sch.	Judiciary I/Constitution
S 52	State–Owned Submerged Lands Study	Agric/Environ/NatRes
S 53	Sex Offender Registration	Judiciary II/ElecLaws
S 54 *	Veto Conforming Changes	H 44/Judiciary I/Constitution
S 57 *	ABC LRC Study Recommendations	H 253/Judiciary I/Constitution
S 57	ABC LRC & Other Changes	H 253/Judiciary I/Constitution
S 62	Mfd. Homes/Bill of Rts.	Commerce
S 65 *	Check Cashing Regulate	Commerce
S 82 *	Estate Amount Changes	Judiciary II/ElecLaws
S 88	Juvenile Confinement Release Study	Children & Human Res
S 89 *	Minority Teachers Study	Education/Higher Ed.
S 92	Volunteer Fire Vehicles Tax Exempt.	Finance
S 99 *	School Flexibility/Accountability	H 6/Education/Higher Ed.
S 115	St. Employee Liab. Trust Fund	Judiciary I/Constitution
S 119 *	Immunity for Vol. Engineers	H 182/Judiciary I/Constitution
S 121 *	Inheritance/Gift Tax Changes	Finance
S 127	Domestic Abuse/Disabled or Elder Adults	H 96/Judiciary I/Constitution
S 130 *	Fire/Rescue Squad Benefits Increase	H 105/Pens&Ret/Ins/StPers
S 135 *	1995 Budget	Appropriations
S 135 *	1995 Budget	Appropriations
S 140 *	Moment of Silence	H 202/Education/Higher Ed.
S 146 *	Seed Law Amendments	H 158/Agric/Environ/Nat Res
S 154	Accident Reportable Amount	Judiciary I/Constitution

Summary of Bills/Resolutions Remaining in Senate
UNFAVORABLE REPORT FOR AMENDMENT AS COMMITTEE SUBSTITUTE (* Title Change) (Continued)

Bill No.		Short Title	Identical Bill/Rewritten by Committee
S 159		Adoptions Rewrite	Judiciary I/Constitution
S 164		Foster Parent Records/AB	H 402/Judiciary I/Constitution
S 165		Day Care Provider Records/AB	H 403/Judiciary I/Constitution
S 166		Attorneys–at–Law Regulation/AB	Judiciary II/ElecLaws
S 174	*	Aerial Application of Pesticides	Agric/Environ/NatRes
S 176		UNC Bd of Gov Election Procedures	Education/Higher Ed.
S 177		Car Seized/Driving on Revoked D.L.	Judiciary II/ElecLaws
S 180	*	ESC/Quarterly Reports	Finance
S 181	*	Columbus Trust Exemption	H 169/Judiciary I/Constitution
S 182	*	Filing Fee Refund/Candidate Death	Judiciary II/ElecLaws
S 188	*	No Support/No License	Judiciary II/ElecLaws
S 192	*	Tax Law Amend – 1	Finance
S 200		Penalties/Violations of Ag. Laws	H 116/Agric/Environ/Nat Res
S 202		Poultry Composting Credit	H 118/Agric/Environ/NatRes
S 214	*	Fiscal Note Rule	H 191/Judiciary I/Constitution
S 223		School Employee Record Checks	Judiciary I/Constitution
S 223		School Employee Record Checks	Judiciary I/Constitution
S 237	*	Partnership Use Value Property	Finance
S 242		Nonprofit Corporation Act	Judiciary I/Constitution
S 243		Death Settlement Approval	Judiciary I/Constitution
S 244		Simplified Estate Administration	Judiciary I/Constitution
S 245		Lock Boxes/Opening Empty	Judiciary I/Constitution
S 250		Federal Retirees Refund	H 144/ Finance
S 259		Civil Damages for Certain Crimes	Judiciary I/Constitution
S 259		Civil Damages for Certain Crimes	Judiciary I/Constitution
S 268		Loss Reserve Accounts/Econ. Dev.	Commerce
S 278		Clerks of Court on Commissions	Judiciary I/Constitution
S 287		Statutory Rape Law	Judiciary I/Constitution
S 287	*	Statutory Rape Law	Judiciary I/Constitution
S 290	*	1995 Retirement Benefits Act/AB	H 376/Pens&Ret/Ins/StPers
S 291		Nonprofit License Tax Exemption	Finance
S 294	*	Regulation of Barbers/AB	Children & Human Res
S 295		Smoke Detectors/Rental Property	H 291/Judiciary I/Constitution
S 300		CDBG Loan Guarantees/AB	H 361/Commerce
S 310		Licensing/Examining Bd. Retirement	Pens&Ret/Ins/StPers
S 331		Truck Weight Tolerances Limits	H 388/Transportation
S 333		Run Hill State Natural Area	Agric/Environ/NatRes
S 334	*	Rest Home Committee Ombudsman/AB	Children & Human Res
S 342		Insurer Financial Amendments/AB	Pens&Ret/Ins/StPers
S 344	*	Notary Law Amendments/AB	Judiciary II/ElecLaws
S 345		Insurance Omnibus Changes/AB	Pens&Ret/Ins/StPers
S 351		Festival 600 Special Plates	Transportation
S 351	*	Festival 600 Special Plates	Finance
S 353		Insurance Technical Amendments/AB	Pens&Ret/Ins/StPers
S 359		Blue Light Bandit/Felony	Judiciary I/Constitution
S 362		Sheriffs' Commission Changes/AB	H 435/Judiciary I/Constitution
S 369		Educ. Resource Teams/Standards	Children & Human Res
S 396		Physician Cooperation Act	Judiciary II/ElecLaws
S 399		Podiatry Definition	H 489; H 689/ Judiciary I/Constitution

Summary of Bills/Resolutions Remaining in Senate
UNFAVORABLE REPORT FOR AMENDMENT AS COMMITTEE SUBSTITUTE (* Title Change) (Continued)

Bill No.	Short Title	Identical Bill/Rewritten by Committee
S 402	Domestic Violence Order/No Firearm	Judiciary I/Constitution
S 414 *	Interstate Branching Early Opt–In	Commerce
S 426	Public Records Law	Judiciary I/Constitution
S 426	Public Records Law	Finance
S 467	UNC/Uniform Reversion Rate	H 242/Education/Higher Ed.
S 473	Veterans' Disability Amendment	Pens&Ret/Ins/StPers
S 483	Bison Meat Inspection/AB	Agric/Environ/NatRes
S 484	Habitual Impaired Driving Revocations	Judiciary I/Constitution
S 503	Farm CDL Amendments	Transportation
S 506 *	Health Law Changes	Children & Human Res
S 513	Antideficiency Judgment Amend	Judiciary II/ElecLaws
S 519	Purchases from Blind/Disabled	Pens&Ret/Ins/StPers
S 521 *	Reidsville *Lis Pendens*	Judiciary II/ElecLaws
S 528 *	Mediated Settlement Conferences	Judiciary I/Constitution
S 543 *	Catawba/Deputies' Retirement	Pens&Ret/Ins/StPers
S 550 *	Superior Court Electoral Reform	Judiciary I/Constitution
S 559 *	Housing Authority Changes	Judiciary I/Constitution
S 560	DSS/Youth Employment Certificates	Children & Human Res
S 563 *	Cornelius Annexation	Local Gov & Reg Affairs
S 566	OB/Gyn Access	H 773/Pens&Ret/Ins/StPers
S 570 *	Pipeline Generation Exemption	H 684/Commerce
S 572	Small Business Surety Bonds	Finance
S 582 *	Winston–Salem Beer/Wine Possession	S 605/Local Gov & Reg Affairs
S 585	Execution of Judgments	Judiciary I/Constitution
S 590	1995 Technical Corrections	Judiciary II/ElecLaws
S 591 *	Insurance Continuing Education	H 780/Pens&Ret/Ins/StPers
S 591 *	Insurance Licenses/Continuing Education	H 780/Finance
S 595	Lead Abatement Certification	Children & Human Res
S 598 *	Scotland County Local Act – 1	Finance
S 611 *	Fayetteville Local Bill – 1	Rules and Operation
S 612 *	Sprinkler Systems Requirements	Commerce
S 624	State Lottery Referendum – 1995	Finance
S 627 *	Cumberland Local Act – 1	Rules and Operation
S 629 *	Cumberland Local Act – 1	Rules and Operation
S 630 *	Cumberland Local Act – 2	Rules and Operation
S 631 *	Highway Wildflower Funds	Finance
S 634	Loop Funds May be Reallocated	H 777/Transportation
S 637 *	District 29 Local Act – 1	Pens&Ret/Ins/StPers
S 643	Sewer System Moratorium Notice	Agric/Environ/NatRes
S 646 *	Vol. Fire/Rescue/EMS Comp. Fund/AB	Finance
S 652	Small Employer Coverage Changes	Pens&Ret/Ins/StPers
S 661 *	Montgomery Local Act	Local Gov & Reg Affairs
S 662 *	Richmond Local Act	Finance
S 678 *	Insurance Charges/Fees/Consumer Funds	Pens&Ret/Ins/StPers
S 678	Consumer Protection Fund/AB	Finance
S 687	Improvement Permits/Sewage Systems	Agric/Environ/NatRes
S 689	Olympics Special Plates	H 976/Finance
S 691	President *Pro Tempore's* Appointments	Rules and Operation
S 694 *	Goldsboro Firemen's Supp. Fund	Pens&Ret/Ins/StPers
S 695	Agriculture Waste Commission	Appropriations

Summary of Bills/Resolutions Remaining in Senate
UNFAVORABLE REPORT FOR AMENDMENT AS COMMITTEE SUBSTITUTE (* Title Change) (Continued)

Bill No.		Short Title	Identical Bill/Rewritten by Committee
S 700	*	Professional Counselors/Right to Choose	H 958/Pens&Ret/Ins/StPers
S 703	*	State Economic Development	Rules and Operation
S 723		Telephone Consumer Protection 2/AB	Commerce
S 737		Elec. Funds Transfer/Counties/AB.	Judiciary I/Constitution
S 759	*	Cigarette Sales Act Unfair	Commerce
S 760	*	D.M.V. Enforcement Officers	Transportation
S 769	*	Emergency Medical Personnel Assault	Judiciary II/ElecLaws
S 770	*	Braille Literacy	H 1025/Education/Higher Ed.
S 771		Public Hospitals/Independent Contractors	Judiciary I/Constitution
S 775		Willie M. Changes/AB	Judiciary I/Constitution
S 784		Health Care Reform/HPC	Judiciary II/ElecLaws
S 793	*	Pharmacy Practice Amendments	Judiciary I/Constitution
S 798	*	Sanitary District Services	Finance
S 824	*	State Auth./Fed. Clean Water Act	H 886/Agric/Environ/Nat Res
S 837		Soil Scientists Licensing	H 826/Agric/Environ/Nat Res
S 839	*	Graduated Drivers Licenses	Finance
S 850		Modify Franchise Tax Base	Finance
S 858		Clarify Principals' Tenure	Education/Higher Ed.
S 859	*	Mental Health Commitment Law	Appropriations
S 873	*	Rezoning Notice Alternatives	Judiciary II/ElecLaws
S 876	*	Bad Check Fees to Schools	Judiciary II/ElecLaws
S 879	*	Transfer Ports Authority	Transportation
S 882		Industrial Commission/Fraud Check	Judiciary I/Constitution
S 894	*	Community College Fuel Exemption	Finance
S 905		State Fire and Rescue Commission	Pens&Ret/Ins/StPers
S 917	*	Agriculture Waste Management Funds	Agric/Environ/NatRes
S 927	*	Small Rural Landfill Demolition	Agric/Environ/NatRes
S 931		Workers' Comp Self–Insureds Safeguards	Appropriations
S 940		Charter School Act of 1995	Education/Higher Ed.
S 943		Fuel Tax at Rack Collect	Finance
S 951		DEHNR Study/Environmental Regulation	Agric/Environ/NatRes
S 966	*	Cosmetology Fees Increase	Finance
S 969	*	Atlantic States Marine Fisheries Compact	Agric/Environ/Nat Res
S 971	*	Judicial Appt./Voter Retention	Judiciary I/Constitution
S 971	*	Judicial Appt./Voter Retention	Select Review Judicial Committee
S 971	*	Judicial Appt./Voter Retention	Appropriations
S 972	*	Controlled Substances Tax Agents	Finance
S 973		Workers' Compensation Rating Law	Pens&Ret/Ins/StPers
S 973		Workers' Compensation Rating Law	Appropriations
S 982		Campaign Reform/Election Study	Judiciary II/ElecLaws
S 991		Wetlands Program/Mitigation Bank	Agric/Environ/NatRes
S 992	*	LEO Retirement Definition	Pens&Ret/Ins/StPers
S 999		Force Account Work Limit	Commerce
S1011	*	State Employees RIF Rights/Options	H 953/Pens&Ret/Ins/StPers
S1012		Underground Storage Tank Amends	H 1029/Appropriations
S1014	*	Nursing/Rest Home Emp. Checks	Judiciary I/Constitution
S1038	*	Animal Welfare Revisions	Judiciary II/ElecLaws
S1049	*	Investment Tax Credit	Finance

Summary of Bills/Resolutions Remaining in Senate
UNFAVORABLE REPORT FOR AMENDMENT AS COMMITTEE SUBSTITUTE (* Title Change) (Continued)

Bill No.		Short Title	Identical Bill/Rewritten by Committee
S 1062	*	DHR New Services/Funds	Children & Human Res
S 1063	*	DHR Services/Funds	Children & Human Res
S 1080	*	Swine Operations Siting	Agric/Environ/NatRes
S 1108	*	Chocolate Milk/Soft Drink Tax	H 1331/Appropriations
S 1114		Professional Teaching Standards Comn.	H 1249/Education/Higher Ed.
S 1128		Clean Water Management Fund	Agric/Environ/NatRes
S 1134		School Facilities Guidelines	H 1105/Education/Higher Ed.
S 1139		ABC 's Plan (State Board of Ed.)	H 1250/Education/Higher Ed.
S 1165	*	Registration Block/County Remove	Finance
S 1173	*	Snow Days Offset/Alleghany School	Education/Higher Ed.
S 1178	*	Revenue Laws Technical Changes	Finance
S 1182		Agency Printing	H 1170/Commerce
S 1188		Pine Straw Trespass/Theft	H 1117/Judiciary I/Constitution
S 1189	*	Jones School Acquisition	Finance
S 1207	*	Gifted Students Education	H 1248/Education/Higher Ed.
S 1217		Animal Waste Recommendations	H 1227/Agric/Environ/NatRes
S 1217		Animal Waste Recommendations	H 1227/Finance
S 1220	*	Kings Mountain School Pay Date Change	Education/Higher Ed.
S 1256		High–Voltage Line Safety Act	H 1233/Commerce
S 1263	*	Northampton Road Hunting	H 1286/Judiciary II/ElecLaws
S 1273	*	DMV Audit Recommendations	Transportation
S 1275		Quality Jobs & Business Expansion	H 1343/Finance
S 1296		Sex Offender Post–Release Supervision	H 1324/Judiciary I/Constitution
S 1297		Probation Condition	H 1325/Judiciary I/Constitution
S 1298	*	Emissions Inspection Penalties	H 1337/Transportation
S 1301	*	General Statutes Technical Bill	Judiciary II/ElecLaws
S 1309	*	Assault/Serious Bodily Injury	H 1243/ Judiciary I/Constitution
S 1313		Castle Hayne Incorporation	H 1240/Finance
S 1318	*	Riparian Buffers Program	H1340/Agric/Environ/NatRes
S 1324		Administrative Procedure Oversight	H 1363/Finance
S 1336		Abduction From Legal Custodian	H 1301/Judiciary II/ElecLaws
S 1341		Cooperative Fisheries/University Proj.	Agric/Environ/NatRes
S 1345	*	Animal Waste Permits/Inspections	Agric/Environ/NatRes
S 1348	*	Well and Pump Contractors	H 1351/Agric/Environ/NatRes
S 1351		Riparian Buffers	Agric/Environ/NatRes
S 1375	*	Columbus Local Act	H 1375/ Local Gov&Reg Affairs
S 1388	*	Food Tax Reduce	Finance
S 1396		New Hanover Nursing Home Board	Local Gov & Reg Affairs
H 2	*	Income Tax Cut/Child Credit	Finance
H 3	*	Taxpayer Protection Act	S 66/Finance
H 6		School Flexibility/Accountability	S 99/Education/Higher Ed.
H 7	*	St. Bd. of Educ/Constit. Authority	S 100/Education/Higher Ed.
H 9		Criminal Appeals	S 45/Judiciary II/ElecLaws
H 12		Term Limits	S 70/Judiciary I/Constitution
H 12	*	Term Limits/Election Reform	S 70/Appropriations
H 63		Refrigeration Contracting Revisions/AB	Commerce
H 65	*	U.S. Flag/Pledge in Classroom	Education/Higher Ed.
H 81	*	DWI Mandatory Jail	Judiciary II/ElecLaws
H 90	*	Concealed Handgun Permit	Judiciary I/Constitution
H 90		Concealed Handgun Permit	Finance

Summary of Bills/Resolutions Remaining in Senate
UNFAVORABLE REPORT FOR AMENDMENT AS COMMITTEE SUBSTITUTE (* Title Change) (Continued)

Bill No.		Short Title	Identical Bill/Rewritten by Committee
H 113		Criminal Justice Records Access	Judiciary I/Constitution
H 114	*	Burlington Alamance School Merger	Finance
H 115		Halifax ABC Board Modifications	Local Gov & Reg Affairs
H 127		Landowner Protection Act	S 171/Judiciary I/Constitution
H 134	*	DMV/DOT Technical Changes	Judiciary I/Constitution
H 140		Insurance Lapse Penalty Changes	Pens&Ret/Ins/StPers
H 161		Telephone Competition	S 224/Commerce
H 168		Child Support Changes/AB	Appropriations
H 192	*	RRC Changes/Leg. Oversight	S 215/Judiciary I/Constitution
H 208	*	Jackson/Madison School Acquisition	Local Gov & Reg Affairs
H 208	*	County School Acquisition	Finance
H 222	*	Joint Legis. Util. Committee	S 206/Commerce
H 223	*	Soft Drink Tax Phase Out	S 251/Finance
H 229		1995 Continuation Budget	Appropriations
H 230		1995 Expansion/Capital Approp.	Appropriations
H 233		Moore Co. to Dist. 19B.	Appropriations
H 269		Equit. Distrib./Sanction Delay	Judiciary I/Constitution
H 273		ED Before or After Divorce	Judiciary I/Constitution
H 300	*	Purchase Off Contract	Commerce
H 311	*	Counterfeit Trademarks	Judiciary I/Constitution
H 311		Counterfeit Trademarks	Judiciary I/Constitution
H 330	*	Winston–Salem Code Process	Local Gov & Reg Affairs
H 333	*	Register of Deeds Retirement	Pens&Ret/Ins/StPers
H 337		Transylvania/Fishing License	Agric/Environ/NatRes
H 340		Drug Test/Unemp. Benefits	Commerce
H 353		Governor's Task Force on DWI/AB	S 298/Judiciary I/Constitution
H 353		Governor's Task Force on DWI/AB	S 298/Judiciary I/Constitution
H 361	*	CDBG Loan Guarantees/AB	S 300/Commerce
H 389		Public School Building Bond Act of 1995	Finance
H 458	*	DWI–Assessment Enhancement/AB	Finance
H 473	*	Limited Liability Companies	Judiciary I/Constitution
H 473	*	Ltd. Liab. Co./Foreign Prof. Corp.	Judiciary I/Constitution
H 481	*	Parental Consent/Abortion	S 735/Judiciary II/ElecLaws
H 481	*	Parental Consent/Abortion	S 735/Education/Higher Ed.
H 490	*	File Annual Reports/Dept. Rev.	Appropriations
H 496	*	School Bus Driver Assault	Judiciary I/Constitution
H 507	*	Colington Harbour MV Enforcement	Transportation
H 537	*	Gaston Community College Acquisition	Finance
H 540	*	Highway Bond Act of 1995	Appropriations
H 543	*	Dare GIS Records Exception	Local Gov & Reg Affairs
H 545		Cartway Amendment	Judiciary II/ElecLaws
H 545		Cartway Amendment	Judiciary II/ElecLaws
H 550	*	Randolph School Acquisition	Finance
H 555		North Carolina Boxing Commission	Finance
H 578	*	Salisbury GIS Records Exception	Local Gov & Reg Affairs
H 593	*	Bogue Incorporated	Finance
H 619	*	School Construction Contracts/Local	S 433/Education/Higher Ed.
H 637		Products Liability Amendments	Judiciary I/Constitution
H 637		Products Liability Amendments	Judiciary I/Constitution
H 638	*	Sanford Private Sale	Local Gov & Reg Affairs

Summary of Bills/Resolutions Remaining in Senate
UNFAVORABLE REPORT FOR AMENDMENT AS COMMITTEE SUBSTITUTE (* Title Change) (Continued)

Bill No.		Short Title	Identical Bill/Rewritten by Committee
H 642	*	Edgecombe Commissioners Election	Local Gov & Reg Affairs
H 645	*	ABC–Local Gov't Regulation	S 696/Judiciary II/ElecLaws
H 651	*	Nags Head Noise	Local Gov & Reg Affairs
H 657		Chatham Omnibus	Local Gov & Reg Affairs
H 659	*	Duplin Road Hunting	Local Gov & Reg Affairs
H 661	*	Halifax School Board Vacancies	Local Gov & Reg Affairs
H 682	*	Orange Omnibus	Finance
H 706	*	Various Occupancy Tax Changes	Finance
H 708	*	Compliance Data Electronic Monitor	Agric/Environ/NatRes
H 718	*	Parks & Recreation/Natural Heritage	Appropriations
H 729		Punitive Damages in Civil Actions	Judiciary I/Constitution
H 730		Malpractice Action Frivolous	Judiciary I/Constitution
H 739		Higher Ed. Credit Transfer	Education/Higher Ed.
H 762		Videotaped Depositions	Judiciary I/Constitution
H 766		Tobacco Sales/Minors	S 603/Judiciary I/Constitution
H 767	*	Eddie Eagle Gun Safety Program	Education/Higher Ed.
H 798		Food Equipment Repeal	H 719/Commerce
H 807	*	Home Care/Hospice Criminal Checks	Finance
H 832	*	Critical Habitat	Agric/Environ/NatRes
H 834	*	Abstinence Until Marriage	S 788/Education/Higher Ed.
H 836	*	Environmental Permitting	S 860/Finance
H 851	*	Bail Bond Changes	Judiciary II/ElecLaws
H 859		Solid Waste Amendments	S 891/Agric/Environ/NatRes
H 879	*	Gun Preemption	Judiciary I/Constitution
H 881	*	Teacher Certification Alternative	Education/Higher Ed.
H 897	*	Speaker's Appointments	Rules and Operation
H 899	*	Landlord/Tenant Changes	Judiciary II/ElecLaws
H 905		Worthless Checks Clarification	Judiciary I/Constitution
H 910		Child Bicycle Safety Act	Judiciary I/Constitution
H 913		Prelitigation Farm Mediation	S 916/Finance
H 914	*	Comm. Coll. Trustee Qualifications	Education/Higher Ed.
H 934		Environmental Tech. Corr.	S 874/Agric/Environ/NatRes
H 955		Charter Sch. Educ. Opportunity Act	Education/Higher Ed.
H 994		Appropriations Fee Provisions	Finance
H 995		Venture Capital Investment Incentive	Finance
H1001	*	Property Tax Exempt /Old Cars	Finance
H1069		1995 Adjournment/*Sine Die*	Rules and Operation
H1077	*	Shellfish Lease/Franchise Employees	S 1194/Agric/Environ/NatRes
H1083	*	ETJ Notice/Hearing on Appointments	S 1187/Judiciary II/ElecLaws
H1086		Loss Costs Cleanup	S 1157/Pens&Ret/Ins/StPers
H1100		1996 School Bonds Act	S 1129/Finance
H1108		Budget Modify	Appropriations
H1135	*	Repeal "New Road" in Craven County	Local Gov & Reg Affairs
H1149	*	Physician Registration	Rules and Operation
H1268		Towed Vehicle Disposal	S 1230/Judiciary II/ElecLaws
H1270	*	Craven Road Hunting	Local Gov & Reg Affairs
H1372	*	Stanly Land Conveyance	S 1360/Local Gov & Reg Affairs

SUMMARY OF BILLS AND RESOLUTIONS
ORDERED SENT TO THE HOUSE OF REPRESENTATIVES
1995 SESSION
SECOND SESSION 1996

Bill No.		Short Title	Final Action (Identical Bill/Last Action)	
S	5	School Governance Changes	**H Failed 3rd Rdg**	
S	7	Local Option Homestead Increase	H Fin	
S	9	Expand Homestead Exemption	H Fin	(H 307/ H ppi)
S	21	Use of Teacher Assistant Funds	H Cal 36(a)	
S	22	Allocate School Tech. Reserve Funds	H Cal 36(a)	
S	38	Campaign Reporting	H Rules	
S	44	Sports Teams Registration Plates	H Fin	
S	62	Mfd. Homes/Bill of Rts.	H Bus&Labor/Econ Exp	
S	65	Regulate Check Cashing	H Fin	
S	99	School Flexibility/Accountability	H Rules	(H 6/ Ch. 450)
S	116	Duty to Defend State Employees	H Jud 1	(H 186/ H Jud 1)
S	163	Whiteville School Board	H LocGov 2	(H 131/ Ch. 3)
S	170	Eliminate Double Vehicle Tax	H Fin	
S	174	Notify/Aerial Application of Pesticides	H Agric	
S	179	Rockingham TDA Membership	H LocGov 1	(H 137/ Ch. 52)
S	181	Pub. Hosp. Trust/N.C. Exempt	H Fin	(H 169/ H ppi)
S	192	Vitamins Dispensed by Chiropractor/Exempt	H Jud 1	
S	209	Modify Active Sentence	H Jud 2	(H 156/ H ppi)
S	213	N.C. Participation/Conf. of States	H Rules	
S	247	Party Gifts Exemption	H Rules	
S	249	Mental Health Study Commission	H Rules	(H 282/ H ppi) (see H 898/Ch. 542)
S	254	Mount Airy Elections	H LocGov 2	(H 313/ Ch. 30)
S	255	Mount Airy Supplementary Fund	H Pens&Ret	(H 314/ Ch. 165)
S	269	Dallas Property Maintenance	H Fin	
S	270	Shelby Occupancy Tax	H LocGov 1	
S	279	School Boards/Quick Take	H Jud 1	
S	283	Amend Richmond Deer Hunting	H LocGov 2	
S	288	Alleghany School Acquisition	H Fin	
S	291	Nonprofit License Tax Exemption	H Fin	
S	307	Sanitary Districts "Quick Take"	H Fin	
S	330	Nursing Home Administrators Board	H StGov	(H 204/ Ch. 86)
S	332	Late Charges for Revolving Credit	H Cal 36(a)	
S	346	State Work Program Repeal/AB	H Wel&HumRes	
S	351	War Veteran Special Plate	H Rules	
S	374	Moore County School Board Pay	H Rules	
S	383	Emergency Use/Prison Laundry/AB	H Jud 2	
S	431	Extend Charlotte School Funding Program	H Appr/Ed	
S	447	Eliminate Board Self–Appointments	H StGov	
S	452	UNC Bd. of Governors Member Limit	H Ed/CC&Univ	
S	488	DMV/Business License Info./AB	H Rules	
S	503	Allow Seasonal, Restricted CDL	H Rules	
S	513	Antideficiency Judgment Amend	H Jud 1	
S	521	Housing Enforcement *Lis Pendens*	H Jud 1	
S	523	Chatham Lease	H Rules	
S	524	Orange Omnibus	H Rules	

Summary of Bills/Resolutions Sent to the House of Representatives

Bill No.		Short Title	Final Action (Identical Bill/Last Action)
S	527	Sandyfield Charter Repeal	H LocGov 2 (H 602/ Ch. 119)
S	529	Alamance Courthouse Construction	H LocGov 2 (H 603/ Ch. 198)
S	536	Mount Airy Occupancy Tax	H Fin
S	544	Transfer Facilities Public Hearings	H Cal 36(a)
S	546	City Vote	**H Unfav**
S	550	Superior Court Electoral Reform	H Jud 1
S	557	Wilmington Annexation Agreement	H Fin
S	564	Resetting Execution Date	H Jud 2
S	565	Corr. Oversight Salary Study/AB	H Rules
S	567	Domestic Violence Changes	H Cal 36(a)
S	572	Small Business Surety Bonds	H Fin
S	573	Optometry Changes	H Cal 36(a)
S	592	Fayetteville Fair Housing Amendments	H LocGov 1
S	594	Worker's Comp. Mediation Sunset	H Bus&Labor
S	602	Foscoe Incorporated	H LocGov 2
S	618	Catawba Veterans' Preference	H Rules (H 627/ Ch. 87)
S	627	Cumberland Room Tax Administration	H LocGov 2
S	631	Enhance Highway Wildflower Funds	**H Failed 2nd Rdg**
S	677	Comm. College Can Receive Grant	H Educ
S	678	Consumer Protection Fund/ AB	H Fin
S	695	Agriculture Waste Commission	H Appr (see H 898/Ch. 542)
S	713	Durham Facilities Fees	H Rules
S	721	Strict Liability/Minor's Damage	H Jud 1
S	723	Telephone Consumer Protection 2/AB	H Fin
S	726	Wake School Acquisition	H LocGov 1
S	728	Substance Abuse Changes	H Appr/Jus&PS
S	733	Out–of–State Retirement	H Pens&Ret
S	780	Nursing Home Requirements/AB	H Rules
S	793	Pharmacy Practice Amendments	H Bus&Labor
S	807	Regional Vocational Authorities	H Wel&HumRes
S	814	Memorandum Filed With Motion	H Jud 1
S	839	Graduated Drivers Licenses	H Transp
S	844	Calendaring Arraignments/Superior Court	H Jud 1
S	846	Instruction/Mental Health Treatment/AB	H Jud 2
S	880	Beach Property Insurance	H Ins
S	914	School Emp./State Emp. Sick Leave	H Rules
S	919	Motor Vehicle Dealer Succession	H Rules
S	922	Opportunities for Teacher Assistants	H Cal 36(a)
S	939	Reportable Disease Changes	H Wel&HumRes
S	940	Charter School Act of 1995	H Educ
S	961	Nonpartisan Judicial Elections	H Jud 1
S	971	Judicial Appt./Voter Retention	**H Failed 2nd Rdg**
S	976	Boat Number Fees	H Fin
S	988	Recyclable Haulers Weight Relief	H Fin
S	1014	Nursing/Rest Home Emp. Checks	H Fin (see S 1301/Ch. 742; H 686/Ch. 591; H 1395/Ch. 636)
S	1015	Redefine Developer	H Fin
S	1054	Advance Rental Payments	H Bus&Labor
S	1063	M.H. Sub. Abuse Women/Child	H Wel&HumRes
S	1084	Amend Reprocessed Oil Regulation	H Rules
S	1095	Honoring N.C. Women Legislators	H Rules (H 1055/ S Held as filed)
S	1100	Honoring/82nd Airborne Division	H Rules

Summary of Bills/Resolutions Sent to the House of Representatives

Bill No.		Short Title	Final Action	(Identical Bill/Last Action)
S	1108	Chocolate Milk/Soft Drink Tax	H Fin	(H 1331/ H Fin)
S	1117	NC Standards Bd/Public School Admin.	H Educ	(H 1246/ H Educ)
S	1118	Pembroke State University Name Change	H Rules	(H 1072/ Ch. 603)
S	1122	Lift ESC Voter Sunset	H Jud 2	(H 1159/ Ch. 608) (see S 851/S Appr; H 230/Ch. 507)
S	1123	National Voter Registration Act Corrections	**H Passed 2nd Rdg**	(H 1160/ H Jud 2)
S	1126	Countywide Pollworkers	H Jud 2	(H 1203/ Ch. 734)
S	1136	Amend Local Sales Taxes	H Rules	(H 1101/ S Held as Filed)
S	1172	Rockingham Equalization & Review Bd.	H LocGov 2	(H 1215/ Ch. 617)
S	1180	Accounting for 911 Surcharges	H Cal 36(a)	
S	1182	Agency Printing	H Rules	(H 1170/ H Cal 36(a))
S	1188	Trespass/Theft of Pine Straw	H Rules	(H 1117/ H ppi) (see S 1409/Ch. 601)
S	1189	Jones School Acquisition	H LocGov 1	
S	1207	Education of Gifted Students	H Educ	(H 1248/ H Educ)
S	1218	Convey Old Maple Hill School (Pender)	H LocGov 1	
S	1220	Kings Mtn. School Pay Date (Cleveland)	H Educ	
S	1241	Dependent Juvenile Definition Change	H Rules	(H 1278/ S Ch&HumRes)
S	1260	Foreclosure Filing Fees	H Jud 2	
S	1273	DMV Audit Recommendations	H Cal 36(a)	
S	1278	Jacksonville Site Plan Review (Onslow)	H LocGov	
S	1284	Modify State Ports Tax Incentive	H Fin	
S	1296	Sex Offender Post–Release Supervision	H Jud 2	(H 1324/ S Held as Filed)
S	1297	Conditions of Probation	H Rules	(H 1325/ H ppi)
S	1298	Emissions Inspection Penalties	H Cal 36(a)	(H 1337/ S Trans)
S	1308	Admin. Search Warrants/When Served	H Jud 1	(H 1346/ H Cal 36(a))
S	1313	Castle Hayne Incorporation (New Hanover)	H Fin	H 1240/ H ppi)
S	1319	Reidsville Annexations (Rockingham)	H Fin	
S	1324	Administrative Procedures Act Changes	H Rules	(H 1363/ H Rules)
S	1330	Sedalia Incorporated (Guilford)	H Fin	
S	1343	Environmental Mgmt Comn Members	H Cal 36(a)	(H 1338/ S Ag/Envir/NatRes)
S	1344	Supplemental Insurance Benefits	H Rules	
S	1374	Cerro Gordo Private Sale (Columbus)	H LocGov 1	(H 1383/ Ch. 708)
S	1379	Durham County Gun Permit Fee	H LocGov 2	
S	1392	Aberdeen Annexation (Moore)	H LocGov 1	
S	1396	New Hanover Nursing Home Board	H Rules	
S	1399	Columbus County Lease Term	H Fin	(see H 1397/Ch. 709)
S	1400	Brunswick Terms	H LocGov 1	(H 1385/ Ch. 622)
S	1493	Enabling/Water Resources/Kure Beach	H Rules	
H	389	Public School Building Bond Act of 1995	H Fin	
H	1375	Whiteville School Elections (Columbus)	S Recalled from Enrolling	(S 1375/ Ch. 661)

VOTE SUMMARY
BY SEQUENCE
1995 SESSION

Votes are recorded in the Senate Chamber pursuant to the *Constitution of North Carolina* and Senate Rules 25 through 30. This summary of votes is in sequential order from convening January 25, 1995, through adjournment *sine die*, June 21, 1996. An abbreviated title appears **below** the reflected vote.

It will be noted that numerical figures appear within parentheses throughout the Senate Journal. These figures represent the affirmative and negative votes cast and recorded electronically, pursuant to Senate Rule 25. Copies of the voting print–out are on file in the Legislative Library and the original is deposited in the Division of Archives and History of the Department of Cultural Resources.

(Note: The vacant seat filled on March 28, 1995, is reflected from sequence 214 forward.)

Legend

SEQ# = Sequential order of votes from beginning to end of Session
DATE = Date of daily Session
BILL = Bill Number on which vote taken
RDG = Reading
CR = Conference Report
MOT = Motion Code [Rule 25(h)]
1. To lay on the table.
2. For the previous question.
3. To postpone indefinitely.
4. To postpone to a day certain.
5. To refer to a committee.
6. To reconsider.
7. To adopt.
8. To concur.
9. To take from the table.
0. Miscellaneous.

AMD = Amendment Number
TOTALS = Y– Aye
N– No
P– Pairs (Number announced)
NV– Not Voting
EXA– Excused Absence
EXV– Excused Vote

FIRST REGULAR SESSION

SEQ#	DATE	BILL	RDG	CR	MOT	AMD	TOTALS
1	01/25/95						Y–49 N–0 P–0 NV–0 EXA–0 EXV–0
							TEST VOTE
2	01/25/95	**SR1**				1	Y–45 N–2 P–0 NV–2 EXA–0 EXV–0
							1995 PERMANENT RULES
3	01/25/95	**SR1**				2	Y–21 N–28 P–0 NV–0 EXA–0 EXV–0
							1995 PERMANENT RULES

SEQ#	DATE	BILL	RDG	CR MOT	AMD	TOTALS (LEGEND—SEE PAGE 350)
4	01/25/95	**SR1**			3	Y–23 N–26 P–0 NV–0 EXA–0 EXV–0 1995 PERMANENT RULES
5	01/25/95	**SR1**			4	Y–23 N–26 P–0 NV–0 EXA–0 EXV–0 1995 PERMANENT RULES
6	01/25/95	**SR1**			5	Y–22 N–26 P–0 NV–1 EXA–0 EXV–0 1995 PERMANENT RULES
7	01/25/95	**SR1**			6	Y–23 N–26 P–0 NV–0 EXA–0 EXV–0 1995 PERMANENT RULES
8	01/25/95	**SR1**			7	Y–23 N–26 P–0 NV–0 EXA–0 EXV–0 1995 PERMANENT RULES
9	01/25/95	**SR1**		7		Y–25 N–24 P–0 NV–0 EXA–0 EXV–0 1995 PERMANENT RULES
10	01/25/95	**SJR2**	2			Y–39 N–1 P–0 NV–9 EXA–0 EXV–0 ORGANIZED/INVITE GOVERNOR
11	01/25/95			1		Y–28 N–13 P–0 NV–8 EXA–0 EXV–0 ELECTION PRESIDENT *PRO TEM*–CLINCHER
12	01/25/95	**SR1**			2	Y–22 N–27 P–0 NV–0 EXA–0 EXV–0 1995 PERMANENT RULES
13	01/25/95	**SR1**			5	Y–23 N–26 P–0 NV–0 EXA–0 EXV–0 1995 PERMANENT RULES
14	01/25/95	**SR1**			2	Y–23 N–26 P–0 NV–0 EXA–0 EXV–0 1995 PERMANENT RULES
15	01/25/95	**SR1**		7		Y–26 N–23 P–0 NV–0 EXA–0 EXV–0 1995 PERMANENT RULES
16	01/26/95					Y–49 N–0 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
17	01/30/95					Y–49 N–0 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
18	01/31/95					Y–32 N–17 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
19	02/01/95					Y–49 N–0 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
20	02/01/95	**SB3**			1	Y–22 N–26 P–0 NV–1 EXA–0 EXV–0 VETO
21	02/01/95	**SB3**			2	Y–23 N–26 P–0 NV–0 EXA–0 EXV–0 VETO
22	02/01/95	**SB3**	2			Y–47 N–2 P–0 NV–0 EXA–0 EXV–0 VETO
23	02/01/95	**SB3**	3			Y–46 N–3 P–0 NV–0 EXA–0 EXV–0 VETO
24	02/01/95	**SB3**			1	Y–23 N–26 P–0 NV–0 EXA–0 EXV–0 VETO
25	02/01/95	**SB3**	2			Y–46 N–3P–0 NV–0 EXA–0 EXV–0 VETO
26	02/02/95					Y–33 N–16 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
27	02/02/95	**SB13**	2			Y–46 N–0 P–0 NV–3 EXA–0 EXV–0 UNEMPLOYMENT TAX CUT
28	02/02/95	**SB16**	2			Y–48 N–0 P–0 NV–1 EXA–0 EXV–0 ST. BD. REPORT/SCHOOL SYSTEM
29	02/06/95					Y–24 N–23 P–0 NV–0 EXA–2 EXV–0 TEST VOTE
30	02/06/95	**SB13**	3			Y–43 N–0 P–0 NV–3 EXA–3 EXV–0 UNEMPLOYMENT TAX CUT

SEQ#	DATE	BILL	RDG	CR MOT	AMD	TOTALS	(LEGEND—SEE PAGE 350)
31	02/07/95					Y–29 N–19 P–0 NV–1 EXA–0 EXV–0	TEST VOTE
32	02/07/95	**SB4**	2			Y–47 N–0 P–0 NV–1 EXA–1 EXV–0	ALTERNATIVE PUNISHMENTS
33	02/07/95	**SB4**	3			Y–46 N–0 P–0 NV–2 EXA–1 EXV–0	ALTERNATIVE PUNISHMENTS
34	02/08/95					Y–26 N–23 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
35	02/08/95	**HJR91**	2			Y–46 N–0 P–0 NV–2 EXA–1 EXV–0	CONFIRMATION/BANKS
36	02/08/95	**SB8**	2			Y–48 N–0 P–0 NV–0 EXA–1 EXV–0	INTANGIBLES REPEAL/HARMLESS
37	02/08/95	**SCB52**	2			Y–47 N–0 P–0 NV–1 EXA–1 EXV–0	STATE-OWNED SUBMERGED LANDS STUDY
38	02/08/95	**SCB27**	2			Y–48 N–0 P–0 NV–0 EXA–1 EXV–0	REPEAL PRISON CAP
39	02/09/95					Y–32 N–17 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
40	02/09/95	**SB8**			2	Y–7 N–39 P–0 NV–2 EXA–1 EXV–0	INTANGIBLES REPEAL/HARMLESS
41	02/09/95	**SB8**	3			Y–47 N–0 P–0 NV–1 EXA–1 EXV–0	INTANGIBLES REPEAL/HARMLESS
42	02/09/95	**SCB5**			1	Y–47 N–1 P–0 NV–0 EXA–1 EXV–0	SCHOOL GOVERNANCE CHANGES
43	02/09/95	**SCB5**	2			Y–47 N–0 P–0 NV–1 EXA–1 EXV–0	SCHOOL GOVERNANCE CHANGES
44	02/09/95	**SCB5**	3			Y–48 N–0 P–0 NV–0 EXA–1 EXV–0	SCHOOL GOVERNANCE CHANGES
45	02/09/95	**SB75**	2			Y–46 N–0 P–0 NV–2 EXA–1 EXV–0	RAEFORD SALES TAX REFUND
46	02/09/95	**SB8**	3			Y–48 N–0 P–0 NV–0 EXA–1 EXV–0	INTANGIBLES REPEAL/HARMLESS
47	02/13/95					Y–26 N–23 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
48	02/13/95			0		Y–40 N–1 P–0 NV–5 EXA–3 EXV–0	JOURNAL
49	02/13/95			0		Y–43 N–1 P–0 NV–2 EXA–3 EXV–0	JOURNAL
50	02/14/95					Y–29 N–20 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
51	02/14/95			0		Y–38 N–0 P–0 NV–9 EXA–2 EXV–0	JOURNAL
52	02/14/95	**SCB3**		8		Y–3 N–43 P–0 NV–1 EXA–2 EXV–0	VETO
53	02/14/95	**HB70**	2			Y–45 N–0 P–0 NV–2 EXA–2 EXV–0	PROPERTY TAX DUE DATE
54	02/15/95					Y–28 N–18 P–0 NV–0 EXA–3 EXV–0	TEST VOTE
55	02/15/95			0		Y–38 N–0 P–0 NV–11 EXA–0 EXV–0	JOURNAL
56	02/15/95	**SCB6**			1	Y–43 N–2 P–0 NV–1 EXA–3 EXV–0	VICTIMS RIGHTS AMEND.
57	02/15/95	**SCB6**	2			Y–44 N–1 P–0 NV–1 EXA–3 EXV–0	VICTIMS RIGHTS AMEND.

SEQ#	DATE	BILL	RDG	CR MOT	AMD	TOTALS (LEGEND—SEE PAGE 350)
58	02/15/95	**SCB6**	3			Y–43 N–1 P–0 NV–2 EXA–3 EXV–0 VICTIMS RIGHTS AMEND.
59	02/15/95	**SB143**	2			Y–44 N–0 P–0 NV–2 EXA–3 EXV–0 SOUTH AFRICA RESTRICTIONS
60	02/15/95			0		Y–38 N–0 P–0 NV–8 EXA–3 EXV–0 JOURNAL
61	02/16/95					Y–28 N–19 P–0 NV–0 EXA–2 EXV–0 TEST VOTE
62	02/16/95			0		Y–40 N–0 P–0 NV–7 EXA–2 EXV–0 JOURNAL
63	02/16/95	**SCB16**		8		Y–2 N–41 P–0 NV–4 EXA–2 EXV–0 ST. BD. REPORT/SCHOOL SYSTEM
64	02/16/95	**SB9**			1	Y–20 N–25 P–0 NV–2 EXA–2 EXV–0 EXPAND HOMESTEAD EXEMPTION
65	02/16/95	**SB9**	2			Y–40 N–5 P–0 NV–2 EXA–2 EXV–0 EXPAND HOMESTEAD EXEMPTION
66	02/16/95	**SB63**	2			Y–43 N–0 P–0 NV–4 EXA–2 EXV–0 NOTICE/SCHOOL REPLACEMENT
67	02/20/95					Y–27 N–22 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
68	02/20/95			0		Y–40 N–0 P–0 NV–5 EXA–4 EXV–0 JOURNAL
69	02/20/95	**SB104**	2			Y–41 N–0 P–0 NV–4 EXA–4 EXV–0 REVENUE LAWS TECH. CHANGES
70	02/20/95	**SB108**			1	Y–43 N–0 P–0 NV–2 EXA–4 EXV–0 ADOPTIONS TO DISTRICT CT.
71	02/20/95	**SB108**	2			Y–42 N–0 P–0 NV–3 EXA–4 EXV–0 ADOPTIONS TO DISTRICT CT.
72	02/20/95	**SB125**	2			Y–43 N–0 P–0 NV–2 EXA–4 EXV–0 SUNSET/REVERSE MORTGAGES
73	02/20/95	**SB167**	2			Y–43 N–1 P–0 NV–1 EXA–4 EXV–0 MINIMAL PROPERTY TAX BILLS
74	02/21/95					Y–28 N–21 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
75	02/21/95			0		Y–46 N–0 P–0 NV–1 EXA–2 EXV–0 JOURNAL
76	02/21/95	**HCB67**	2			Y–45 N–1 P–0 NV–1 EXA–2 EXV–0 STATE-OWNED SUBMERGED LANDS STUDY
77	02/21/95	**SB104**	3			Y–47 N–0 P–0 NV–0 EXA–2 EXV–0 REVENUE LAWS TECH. CHANGES
78	02/21/95	**SB108**	3			Y–46 N–0 P–0 NV–1 EXA–2 EXV–0 ADOPTIONS TO DISTRICT CT.
79	02/22/95					Y–29 N–20 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
80	02/22/95			0		Y–39 N–1 P–0 NV–6 EXA–3 EXV–0 JOURNAL
81	02/22/95	**HCB131**	2			Y–45 N–0 P–0 NV–1 EXA–3 EXV–0 WHITEVILLE SCHOOL BOARD
82	02/22/95	**SB152**	2			Y–43 N–0 P–0 NV–3 EXA–3 EXV–0 SANITARY DIST. UTIL. RELOC.
83	02/22/95	**HCB67**	3			Y–45 N–0 P–0 NV–1 EXA–3 EXV–0 STATE-OWNED SUBMERGED LANDS STUDY
84	02/23/95					Y–27 N–19 P–0 NV–0 EXA–3 EXV–0 TEST VOTE

SEQ#	DATE	BILL	RDG	CR MOT	AMD	TOTALS (LEGEND—SEE PAGE 350)
85	02/23/95			0		Y–38 N–0 P–0 NV–5 EXA–6 EXV–0 JOURNAL
86	02/23/95	**SB153**	2			Y–44 N–0 P–0 NV–0 EXA–5 EXV–0 GRANITE FALLS ABC AUDIT
87	02/23/95	**SCB200**	2			Y–42 N–1 P–0 NV–1 EXA–5 EXV–0 PENALTIES/VIOLATIONS /AGRIC.
88	02/27/95					Y–30 N–19 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
89	02/27/95			0		Y–41 N–0 P–0 NV–3 EXA–5 EXV–0 JOURNAL
90	02/27/95	**SR176**		7		Y–42 N–2 P–0 NV–0 EXA–5 EXV–0 UNC BD./ELECTION PROCEDURES
91	02/27/95	**SB162**	2			Y–42 N–1 P–0 NV–1 EXA–5 EXV–0 DELAY WINDOW TINTING
92	02/27/95	**SB247**		4		Y–20 N–25 P–0 NV–0 EXA–4 EXV–0 PARTY GIFTS EXEMPTION
93	02/27/95	**SB247**			4	Y–41 N–4 P–0 NV–0 EXA–4 EXV–0 PARTY GIFTS EXEMPTION
94	02/27/95	**SB247**	2			Y–38 N–7 P–0 NV–0 EXA–4 EXV–0 PARTY GIFTS EXEMPTION
95	02/28/95					Y–28 N–20 P–0 NV–0 EXA–1 EXV–0 TEST VOTE
96	02/28/95			0		Y–44 N–0 P–0 NV–4 EXA–1 EXV–0 JOURNAL
97	02/28/95	**SB247**			5	Y–43 N–5 P–0 NV–0 EXA–1 EXV–0 PARTY GIFTS EXEMPTION
98	02/28/95	**SB247**			6	Y–19 N–29 P–0 NV–0 EXA–1 EXV–0 PARTY GIFTS EXEMPTION
99	02/28/95	**SB247**			7	Y–37 N–11 P–0 NV–0 EXA–1 EXV–0 PARTY GIFTS EXEMPTION
100	02/28/95	**SB247**			8	Y–21 N–27 P–0 NV–0 EXA–1 EXV–0 PARTY GIFTS EXEMPTION
101	02/28/95	**SB247**		2		Y–36 N–10 P–0 NV–2 EXA–1 EXV–0 PARTY GIFTS EXEMPTION
102	02/28/95	**SB247**	3			Y–35 N–13 P–0 NV–0 EXA–1 EXV–0 PARTY GIFTS EXEMPTION
103	03/01/95					Y–27 N–21 P–0 NV–0 EXA–1 EXV–0 TEST VOTE
104	03/01/95			0		Y–40 N–1 P–0 NV–6 EXA–2 EXV–0 JOURNAL
105	03/01/95	**SB118**	2			Y–45 N–0 P–0 NV–1 EXA–3 EXV–0 CLARIFY VOL. EMS LIABILITY
106	03/01/95	**SB207**	2			Y–46 N–0 P–0 NV–0 EXA–3 EXV–0 WATER/SEWER BOND
107	03/02/95					Y–26 N–23 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
108	03/02/95			0		Y–44 N–1 P–0 NV–3 EXA–1 EXV–0 JOURNAL
109	03/02/95	**SB7**			1	Y–44 N–4 P–0 NV–0 EXA–1 EXV–0 LOCAL OPTION HOMESTEAD
110	03/02/95	**SB7**	2			Y–44 N–4 P–0 NV–0 EXA–1 EXV–0 LOCAL OPTION HOMESTEAD
111	03/02/95	**SCB146**	2			Y–44 N–1 P–0 NV–3 EXA–1 EXV–0 SEED LAW AMENDMENTS
112	03/02/95	**SJR225**	2			Y–44 N–0 P–0 NV–4 EXA–1 EXV–0 CHIEF JUSTICE/JOINT SESSION

SEQ#	DATE	BILL	RDG	CR	MOT	AMD	TOTALS (LEGEND—SEE PAGE 350)
113	03/02/95	**SJR225**	2				Y–46 N–0 P–0 NV–2 EXA–1 EXV–0 CHIEF JUSTICE/JOINT SESSION
114	03/06/95						Y–26 N–23 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
115	03/06/95				0		Y–43 N–0 P–0 NV–3 EXA–3 EXV–0 JOURNAL
116	03/06/95	**SB58**	2				Y–43 N–2 P–0 NV–1 EXA–3 EXV–0 VOTER REG. CLEANUP
117	03/07/95						Y–28 N–20 P–0 NV–0 EXA–1 EXV–0 TEST VOTE
118	03/07/95				0		Y–38 N–0 P–0 NV–10 EXA–1 EXV–0 JOURNAL
119	03/07/95	**SCB3**	2	C	7		Y–45 N–3 P–0 NV–0 EXA–1 EXV–0 VETO
120	03/07/95	**SCB3**	3	C	7		Y–44 N–3 P–0 NV–1 EXA–1 EXV–0 VETO
121	03/07/95	**SCB119**	2				Y–47 N–0 P–0 NV–1 EXA–1 EXV–0 IMMUNITY FOR VOL. ENGINEERS
122	03/07/95	**SCB16**		C	7		Y–48 N–0 P–0 NV–0 EXA–1 EXV–0 PUBLIC INSTRUCTION REORG.
123	03/07/95	**SCB3**	3	C	7		Y–45 N–3 P–0 NV–0 EXA–1 EXV–0 VETO
124	03/08/95						Y–25 N–22 P–0 NV–0 EXA–2 EXV–O TEST VOTE
125	03/08/95				0		Y–45 N–0 P–0 NV–1 EXA–3 EXV–0 JOURNAL
126	03/08/95	**HCB181**	2				Y–46 N–0 P–0 NV–0 EXA–3 EXV–0 CALDWELL SCHOOL PAY DATE
127	03/08/95	**SCB44**	2				Y–46 N–0 P–0 NV–0 EXA–3 EXV–0 SPORTS TEAM REGISTR. PLATE
128	03/08/95	**SB120**	2				Y–44 N–1 P–0 NV–1 EXA–3 EXV–0 MAKE BOND TAXATION UNIFORM
129	03/08/95	**SCB54**				1	Y–46 N–0 P–0 NV–0 EXA–3 EXV–0 VETO CONFORMING CHANGES
130	03/08/95	**SCB54**	2				Y–44 N–2 P–0 NV–0 EXA–3 EXV–0 VETO CONFORMING CHANGES
131	03/08/95	**SB155**	2				Y–45 N–0 P–0 NV–1 EXA–3 EXV–0 TEMPORARY PLATE/60 DAYS
132	03/08/95	**SB271**	2				Y–45 N–0 P–0 NV–1 EXA–3 EXV–0 FUEL COST ADJUST. SUNSET
133	03/08/95	**SB286**				1	Y–45 N–0 P–0 NV–1 EXA–3 EXV–0 WATER COMPOSITE TESTING
134	03/08/95	**SB286**	2				Y–44 N–0 P–0 NV–2 EXA–3 EXV–0 WATER COMPOSITE TESTING
135	03/08/95	**HB80**	2				Y–44 N–0 P–0 NV–2 EXA–3 EXV–0 REPEAL OBSOLETE USE TAX
136	03/08/95	**SB229**	2				Y–44 N–0 P–0 NV–2 EXA–3 EXV–0 DONATIONS/CONSERVATION LAND
137	03/08/95	**SCB21**	2				Y–37 N–8 P–0 NV–1 EXA–3 EXV–0 TEACHER ASSISTANT FUNDS
138	03/09/95						Y–29 N–20 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
139	03/09/95	**SB63**			8		Y–38 N–0 P–0 NV–6 EXA–5 EXV–0 NOTICE/SCHOOL REPLACEMENT

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140	03/09/95	**SB288**	2			Y–41 N–0 P–0 NV–3 EXA–5 EXV–0	ALLEGHANY SCHOOL PROPERTY
141	03/09/95	**HB339**	2			Y–42 N–0 P–0 NV–2 EXA–5 EXV–0	SEVEN LAKES/HIGHWAY LAWS-2
142	03/09/95	**SB7**	3			Y–40 N–0 P–0 NV–4 EXA–5 EXV–0	LOCAL OPTION HOMESTEAD
143	03/09/95	**SCB44**	3			Y–42 N–0 P–0 NV–2 EXA–5 EXV–0	SPORTS TEAM REGISTR. PLATE
144	03/09/95	**SB120**	3			Y–40 N–1 P–0 NV–3 EXA–5 EXV–0	MAKE BOND TAXATION UNIFORM
145	03/09/95	**SB229**	3			Y–41 N–0 P–0 NV–3 EXA–5 EXV–0	DONATIONS/CONSERVATION LAND
146	03/09/95	**SB265**	2			Y–40 N–0 P–0 NV–4 EXA–5 EXV–0	CALDWELL FOX HUNTING
147	03/09/95	**SCB21**			2	Y–13 N–31 P–0 NV–0 EXA–5 EXV–0	TEACHER ASSISTANT FUNDS
148	03/09/95	**SCB21**			1	Y–37 N–7 P–0 NV–0 EXA–5 EXV–0	TEACHER ASSISTANT FUNDS
149	03/09/95	**SCB21**			3	Y–38 N–5 P–0 NV–1 EXA–5 EXV–0	TEACHER ASSISTANT FUNDS
150	03/09/95	**SCB21**	3			Y–39 N–5 P–0 NV–0 EXA–5 EXV–0	TEACHER ASSISTANT FUNDS
151	03/13/95					Y–26 N–23 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
152	03/13/95	**SB288**	3			Y–41 N–0 P–0 NV–2 EXA–6 EXV–0	ALLEGHANY SCHOOL PROPERTY
153	03/13/95	**SB220**	2			Y–42 N–0 P–0 NV–1 EXA–6 EXV–0	LOCAL SALES TAX INFORMATION
154	03/14/95					Y–25 N–21 P–0 NV–0 EXA–3 EXV–0	TEST VOTE
155	03/14/95	**SB162**		8		Y–43 N–0 P–0 NV–1 EXA–5 EXV–0	WINDOW TINTING CHANGES
156	03/14/95	**SB56**			2	Y–9 N–32 P–0 NV–3 EXA–5 EXV–0	ANTIQUATED LAWS REPEALED
157	03/14/95	**SB56**	2			Y–41 N–2 P–0 NV–1 EXA–5 EXV–0	ANTIQUATED LAWS REPEALED
158	03/15/95					Y–27 N–22 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
159	03/15/95	**SCB223**	2			Y–41 N–2 P–0 NV–1 EXA–5 EXV–0	SCHOOL EMPLOYEE RECORD CK
160	03/15/95	**SCB223**	2			Y–42 N–2 P–0 NV–0 EXA–5 EXV–0	SCHOOL EMPLOYEE RECORD CK
161	03/16/95					Y–25 N–19 P–0 NV–0 EXA–5 EXV–0	TEST VOTE
162	03/16/95	**SCB333**	2			Y–42 N–2 P–0 NV–0 EXA–5 EXV–0	RUN HILL STATE NATURAL AREA
163	03/16/95	**SCB27**		8		Y–16 N–28 P–0 NV–0 EXA–5 EXV–0	REPEAL PRISON CAP
164	03/16/95	**SCB22**	2			Y–37 N–3 P–0 NV–4 EXA–5 EXV–0	SCHOOL TECH. RESERVE FUND
165	03/16/95	**SB317**	2			Y–42 N–0 P–0 NV–2 EXA–5 EXV–0	HOME CARE COMM. REPEAL/AB
166	03/16/95	**SB330**	2			Y–42 N–0 P–0 NV–2 EXA–5 EXV–0	NURSING HOME ADMIN. BOARD

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167	03/20/95					Y–29 N–20 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
168	03/20/95			0		Y–40 N–0 P–0 NV–5 EXA–4 EXV–0	JOURNAL
169	03/20/95	**SJR225**		8		Y–45 N–0 P–0 NV–0 EXA–4 EXV–0	CHIEF JUSTICE/JOINT SESSION
170	03/20/95	**SB264**	2			Y–44 N–0 P–0 NV–1 EXA–4 EXV–0	BETHANIA CHARTER
171	03/20/95	**SB269**	2			Y–43 N–0 P–0 NV–2 EXA–4 EXV–0	DALLAS PROP. MAINTENANCE
172	03/20/95	**SB282**	2			Y–45 N–0 P–0 NV–0 EXA–4 EXV–0	ROCKINGHAM CITY ANNEX
173	03/20/95	**SCB333**	3			Y–42 N–2 P–0 NV–1 EXA–4 EXV–0	RUN HILL STATE NATURAL AREA
174	03/20/95	**SB20**	2			Y–42 N–3 P–0 NV–0 EXA–4 EXV–0	SCHOOL ACCOUNTABILITY
175	03/21/95					Y–23 N–22 P–0 NV–0 EXA–4 EXV–0	TEST VOTE
176	03/21/95			0		Y–42 N–0 P–0 NV–3 EXA–4 EXV–0	JOURNAL
177	03/21/95	**SCB237**			1	Y–46 N–0 P–0 NV–0 EXA–3 EXV–0	USE VALUE TAX CHANGES
178	03/21/95	**SCB237**	2			Y–46 N–0 P–0 NV–0 EXA–3 EXV–0	USE VALUE TAX CHANGES
179	03/21/95	**SB241**	2			Y–46 N–0 P–0 NV–0 EXA–3 EXV–0	LET DOT SELL FERRY SOUVENIRS
180	03/21/95	**SB348**	2			Y–45 N–1 P–0 NV–0 EXA–3 EXV–0	NBPTS DEBT COLLECTION
181	03/21/95	**SB264**	3			Y–39 N–0 P–0 NV–7 EXA–3 EXV–0	BETHANIA CHARTER
182	03/21/95	**SB269**	3			Y–35 N–0 P–0 NV–11 EXA–3 EXV–0	DALLAS PROP. MAINTENANCE
183	03/21/95	**SB282**	**3**			Y–40 N–0 P–0 NV–6 EXA–3 EXV–0	ROCKINGHAM CITY ANNEX
184	03/22/95					Y–23 N–22 P–0 NV–0 EXA–4 EXV–0	TEST VOTE
185	03/22/95			0		Y–42 N–0 P–0 NV–3 EXA–4 EXV–0	JOURNAL
186	03/22/95	**SB34**			2	Y–45 N–0 P–0 NV–0 EXA–4 EXV–0	DEATH BY LETHAL DRUG
187	03/22/95	**SB104**		8		Y–45 N–0 P–0 NV–0 EXA–4 EXV–0	REVENUE LAWS CHANGES
188	03/23/95					Y–25 N–19 P–0 NV–0 EXA–5 EXV–0	TEST VOTE
189	03/23/95			0		Y–40 N–0 P–0 NV–4 EXA–5 EXV–0	JOURNAL
190	03/27/95					Y–24 N–25 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
191	03/27/95			0		Y–45 N–0 P–0 NV–2 EXA–2 EXV–0	JOURNAL
192	03/27/95	**SB346**	2			Y–46 N–0 P–0 NV–1 EXA–2 EXV–0	STATE WORK PROG. REPEAL/AB
193	03/27/95	**SB448**	2			Y–46 N–0 P–0 NV–1 EXA–2 EXV–0	APPELLATE COURT ELECTORAL REFORM

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194	03/28/95					Y–26 N–23 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
195	03/28/95	**SCB41**	2			Y–43 N–0 P–0 NV–0 EXA–2 EXV–4	*PRO SE* INDIGENT PRISONERS/AB
196	03/28/95	**SCB62**	2			Y–45 N–1 P–0 NV–1 EXA–2 EXV–0	MFD. HOMES/BILL OF RIGHTS
197	03/28/95	**SB413**	2			Y–46 N–0 P–0 NV–1 EXA–2 EXV–0	SAVINGS BANKS CONVERSION
198	03/29/95					Y–25 N–21 P–0 NV–0 EXA–3 EXV–0	TEST VOTE
199	03/29/95			7		Y–44 N–0 P–0 NV–2 EXA–3 EXV–0	CONFIRM/STEPHENSON
200	03/29/95			7		Y–44 N–0 P–0 NV–2 EXA–3 EXV–0	CONFIRM–BELL/HISE/EDGERTON
201	03/29/95	**SB83**	2			Y–39 N–6 P–0 NV–1 EXA–3 EXV–0	PERPETUITIES/UNIFORM RULE
202	03/29/95	**SB84**	2			Y–41 N–5 P–0 NV–0 EXA–3 EXV–0	LIMIT OPTIONS IN GROSS
203	03/29/95	**SB85**	2			Y–41 N–4 P–0 NV–1 EXA–3 EXV–0	TRUSTS/PET/CEMETERY
204	03/29/95	**SB240**			1	Y–37 N–7 P–0 NV–2 EXA–3 EXV–0	DOT DREDGE/LOCAL GOV'T.
205	03/29/95	**SB240**	2			Y–41 N–4 P–0 NV–1 EXA–3 EXV–0	DOT DREDGE/LOCAL GOV'T.
206	03/29/95	**SCB331**			1	Y–43 N–0 P–0 NV–3 EXA–3 EXV–0	TRUCK WEIGHT LIMITS
207	03/29/95	**SCB331**			2	Y–44 N–1 P–0 NV–1 EXA–3 EXV–0	TRUCK WEIGHT LIMITS
208	03/29/95	**SCB331**			3	Y–4 N–40 P–0 NV–2 EXA–3 EXV–0	TRUCK WEIGHT LIMITS
209	03/29/95	**SCB331**	2			Y–41 N–3 P–0 NV–2 EXA–3 EXV–0	TRUCK WEIGHT LIMITS
210	03/30/95					Y–24 N–25 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
211	03/30/95	**SB365**	2			Y–41 N–1 P–0 NV–4 EXA–3 EXV–0	BOW FISHING/HUNT LICENSE
212	03/30/95	**HCB161**	2			Y–44 N–0 P–0 NV–2 EXA–3 EXV–0	LOCAL TELEPHONE COMPETITION
213	03/30/95	**SB240**	3			Y–43 N–1 P–0 NV–2 EXA–3 EXV–0	DOT DREDGE/LOCAL GOV'T.
214	04/03/95					Y–32 N–18 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
215	04/03/95			0		Y–45 N–0 P–0 NV–1 EXA–4 EXV–0	JOURNAL
216	04/03/95	**SB296**	2			Y–44 N–0 P–0 NV–2 EXA–4 EXV–0	LAKE ROYALE MOTOR VEHICLES
217	04/03/95	**HCB33**	2			Y–43 N–3 P–0 NV–0 EXA–4 EXV–0	REAL ESTATE RENEWAL FEES/AB
218	04/03/95	**SCB268**	2			Y–45 N–0 P–0 NV–1 EXA–4 EXV–0	LOSS RESERVE ACCOUNTS
219	04/03/95	**SB357**	2			Y–41 N–4 P–0 NV–1 EXA–4 EXV–0	DOT ASSIGNED VEHICLE
220	04/04/95					Y–24 N–26 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
221	04/04/95			0		Y–42 N–0 P–0 NV–6 EXA–2 EXV–0	JOURNAL

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222	04/04/95	**HCB377**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0	CHARLOTTE STREET NAMES
223	04/04/95	**SCB24**	2			Y–45 N–1 P–0 NV–2 EXA–2 EXV–0	REFOCUS SCH. TESTING/BASICS
224	04/04/95	**SCB259**			1	Y–44 N–3 P–0 NV–1 EXA–2 EXV–0	CIVIL DAMAGES/CERTAIN CRIMES
225	04/04/95	**SCB259**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0	CIVIL DAMAGES/CERTAIN CRIMES
226	04/04/95	**SB83**	3			Y–46 N–1 P–0 NV–1 EXA–2 EXV–0	PERPETUITIES/UNIFORM RULE
227	04/04/95	**SB357**	3			Y–44 N–3 P–0 NV–1 EXA–2 EXV–0	DOT ASSIGNED VEHICLE
228	04/04/95	**SCB287**	2			Y–40 N–6 P–0 NV–2 EXA–2 EXV–0	AMEND STATUTORY RAPE LAW
229	04/05/95					Y–26 N–24 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
230	04/05/95			0		Y–43 N–0 P–0 NV–3 EXA–4 EXV–0	JOURNAL
231	04/05/95	**SCB399**	2			Y–40 N–6 P–0 NV–0 EXA–4 EXV–0	AMEND DEFINITION OF PODIATRY
232	04/05/95	**SCB414**	2			Y–44 N–0 P–0 NV–2 EXA–4 EXV–0	INTERSTATE BRANCHING OPT-IN
233	04/05/95	**SB415**	2			Y–44 N–1 P–0 NV–1 EXA–4 EXV–0	BANKS/SAVINGS INST. MERGER
234	04/05/95	**SCB259**			2	Y–32 N–13 P–0 NV–1 EXA–4 EXV–0	CIVIL DAMAGES/CERTAIN CRIMES
235	04/05/95	**SCB259**		4		Y–40 N–4 P–0 NV–2 EXA–4 EXV–0	CIVIL DAMAGES/CERTAIN CRIMES
236	04/05/95	**SCB167**		8		Y–44 N–0 P–0 NV–2 EXA–4 EXV–0	MINIMAL PROPERTY TAX BILLS
237	04/05/95	**SCB414**	2			Y–45 N–0 P–0 NV–1 EXA–4 EXV–0	INTERSTATE BRANCHING OPT-IN
238	04/06/95					Y–22 N–25 P–0 NV–0 EXA–3 EXV–0	TEST VOTE
239	04/06/95	**SB321**	2			Y–45 N–0 P–0 NV–2 EXA–3 EXV–0	SCHOOL ATHLETICS RULES
240	04/06/95	**SCB344**	2			Y–44 N–2 P–0 NV–1 EXA–3 EXV–0	NOTARY LAW AMENDMENTS/AB
241	04/06/95	**SB430**	2			Y–45 N–0 P–0 NV–2 EXA–3 EXV–0	BANK INVESTMENT AUTHORITY
242	04/06/95	**SB453**	2			Y–44 N–2 P–0 NV–1 EXA–3 EXV–0	TEACHER SCHOLARSHIP PROG.
243	04/06/95	**SB482**	2			Y–46 N–0 P–0 NV–1 EXA–3 EXV–0	MISCELLANEOUS BANK CHANGES
244	04/06/95	**SCB344**	3			Y–44 N–1 P–0 NV–2 EXA–3 EXV–0	NOTARY LAW AMENDMENTS/AB
245	04/06/95	**HCB2**			1	Y–21 N–25 P–0 NV–1 EXA–3 EXV–0	INCOME TAX CUT/CHILD CREDIT
246	04/06/95	**HCB2**	2			Y–43 N–1 P–0 NV–3 EXA–3 EXV–0	INCOME TAX CUT/CHILD CREDIT
247	04/10/95					Y–27 N–19 P–0 NV–0 EXA–4 EXV–0	TEST VOTE
248	04/10/95			0		Y–45 N–0 P–0 NV–1 EXA–4 EXV–0	JOURNAL
249	04/10/95	**SB416**	2			Y–47 N–0 P–0 NV–0 EXA–3 EXV–0	DEFINITION OF ABUSE/AB

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250	04/10/95	**SCB223**	3			Y–47 N–0 P–0 NV–0 EXA–3 EXV–0 SCHOOL EMPLOYEE RECORD CK
251	04/10/95	**SB453**			1	Y–46 N–0 P–0 NV–1 EXA–3 EXV–0 TEACHER SCHOLARSHIP PROG.
252	04/10/95	**SB453**	3			Y–46 N–0 P–0 NV–1 EXA–3 EXV–0 TEACHER SCHOLARSHIP PROG.
253	04/11/95					Y–25 N–23 P–0 NV–0 EXA–2 EXV–0 TEST VOTE
254	04/11/95	**HCB145**	2			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 ROANOKE RAPIDS CHARTER
255	04/11/95	**SB384**	2			Y–49 N–0 P–0 NV–0 EXA–1 EXV–0 FORSYTH/W-S PYROTECHNICS
256	04/11/95	**SB156**	2			Y–49 N–0 P–0 NV–0 EXA–1 EXV–0 WEAPON/FIREFIGHTERS/EMS
257	04/11/95	**SCB287**		5		Y–33 N–15 P–0 NV–1 EXA–1 EXV–0 AMEND STATUTORY RAPE LAW
258	04/11/95	**SCB265**		8		Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 CALDWELL FOX HUNTING
259	04/11/95					Y–23 N–26 P–0 NV–0 EXA–1 EXV–0 TEST VOTE
260	04/11/95			0		Y–42 N–0 P–0 NV–5 EXA–3 EXV–0 JOURNAL
261	04/11/95	**HCB377**	2			Y–47 N–0 P–0 NV–0 EXA–3 EXV–0 CHARLOTTE STREET NAMES
262	04/11/95	**SCB24**	2			Y–45 N–1 P–0 NV–1 EXA–3 EXV–0 REFOCUS SCH. TESTING/BASICS
263	04/11/95	**SCB259**			1	Y–44 N–3 P–0 NV–0 EXA–3 EXV–0 CIVIL DAMAGES/CERTAIN CRIMES
264	04/11/95	**SCB259**	2			Y–46 N–0 P–0 NV–1 EXA–3 EXV–0 CIVIL DAMAGES/CERTAIN CRIMES
265	04/11/95	**SB83**	3			Y–46 N–1 P–0 NV–0 EXA–3 EXV–0 PERPETUITIES/UNIFORM RULE
266	04/11/95	**SB357**	3			Y–44 N–3 P–0 NV–0 EXA–3 EXV–0 DOT ASSIGNED VEHICLE
267	04/11/95	**SCB287**	2			Y–40 N–6 P–0 NV–1 EXA–3 EXV–0 AMEND STATUTORY RAPE LAW
268	04/12/95					Y–27 N–23 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
269	04/12/95			0		Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 JOURNAL
270	04/12/95	**HCB145**	3			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 ROANOKE RAPIDS CHARTER
271	04/12/95	**SCB342**	2			Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 INSURER FINANCIAL AMDS/AB
272	04/12/95	**SB412**	2			Y–45 N–1 P–0 NV–2 EXA–2 EXV–0 OPT-OUT USURY PREEMPTION
273	04/12/95	**SB412**	3			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 OPT-OUT USURY PREEMPTION
274	04/12/95	**SCB259**		5		Y–18 N–26 P–0 NV–4 EXA–2 EXV–0 CIVIL DAMAGES/CERTAIN CRIMES
275	04/12/95	**SCB259**		0		Y–28 N–17 P–0 NV–3 EXA–2 EXV–0 CIVIL DAMAGES/CERTAIN CRIMES
276	04/12/95	**SCB342**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 INSURER FINANCIAL AMDS/AB
277	04/13/95					Y–29 N–21 P–0 NV–0 EXA–0 EXV–0 TEST VOTE

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278	04/13/95	**SB507**	2			Y–43 N–0 P–0 NV–5 EXA–2 EXV–0 DURHAM ASSESSMENTS
279	04/13/95	**SB580**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 ALBEMARLE STREET ASSESS.
280	04/13/95	**SCB38**	2			Y–43 N–1 P–0 NV–4 EXA–2 EXV–0 CAMPAIGN REPORTING
281	04/13/95	**SB488**	2			Y–37 N–9 P–0 NV–2 EXA–2 EXV–0 DMV/BUSINESS LICENSE INFO./AB
282	04/13/95	**SB496**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 MINIMAL PROPERTY TAX BILLS
283	04/13/95	**SJR538**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 JOINT SESSION/ST. BD. OF ED.
284	04/13/95	**SB575**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 LEGISLATIVE ETHICS COMM.
285	04/13/95	**HCB103**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 INSURANCE FRAUD
286	04/13/95	**HB401**	2			Y–46 N–1 P–0 NV–1 EXA–2 EXV–0 MUSEUM OF ART SECURITY/AB
287	04/13/95	**SB84**			1	Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 LIMIT OPTIONS IN GROSS
288	04/13/95	**SB507**	2			Y–44 N–0 P–0 NV–4 EXA–2 EXV–0 DURHAM ASSESSMENTS
289	04/17/95					Y–26 N–24 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
290	04/17/95	**SB507**	3			Y–45 N–0 P–0 NV–1 EXA–4 EXV–0 DURHAM ASSESSMENTS
291	04/17/95	**SB580**	3			Y–46 N–0 P–0 NV–0 EXA–4 EXV–0 ALBEMARLE STREET ASSESS.
292	04/17/95	**SB277**	2			Y–45 N–1 P–0 NV–0 EXA–4 EXV–0 50 ACRE SCHOOL SITE LIMIT
293	04/17/95	**SB186**	2			Y–45 N–1 P–0 NV–0 EXA–4 EXV–0 SENTENCING COMMISSION
294	04/17/95	**SB209**	2			Y–35 N–11 P–0 NV–0 EXA–4 EXV–0 MODIFY ACTIVE SENTENCE
295	04/17/95	**SCB243**	2			Y–46 N–0 P–0 NV–0 EXA–4 EXV–0 DEATH SETTLEMENT APPROVAL
296	04/17/95	**SB256**	2			Y–44 N–2 P–0 NV–0 EXA–4 EXV–0 INDIGENT APPEAL CHANGES
297	04/17/95	**SB258**	2			Y–44 N–2 P–0 NV–0 EXA–4 EXV–0 RECORD KEEPING/CHILD SUPPORT
298	04/17/95	**SB573**	2			Y–40 N–6 P–0 NV–0 EXA–4 EXV–0 OPTOMETRY CHANGES
299	04/17/95	**HCB103**	3			Y–43 N–0 P–0 NV–3 EXA–4 EXV–0 INSURANCE FRAUD
300	04/17/95	**SCB182**	3			Y–40 N–5 P–0 NV–1 EXA–4 EXV–0 REFUND FILING FEE/DEATH
301	04/18/95					Y–25 N–22 P–0 NV–0 EXA–3 EXV–0 TEST VOTE
302	04/18/95	**SB277**	3			Y–44 N–2 P–0 NV–1 EXA–3 EXV–0 50 ACRE SCHOOL SITE LIMIT
303	04/18/95	**HCB122**	2			Y–46 N–0 P–0 NV–1 EXA–3 EXV–0 TRANSPORTER PLATE/SALVAGE
304	04/18/95	**SB208**	2			Y–43 N–3 P–0 NV–1 EXA–3 EXV–0 CRIMINAL TECH. AMEND.

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305	04/18/95	**SCB244**	2			Y–46 N–1 P–0 NV–0 EXA–3 EXV–0	ESTATE ADMINISTRATION
306	04/18/95	**HCB7**	2			Y–42 N–5 P–0 NV–0 EXA–3 EXV–0	STATE BD. OF EDUC. AUTHORITY
307	04/18/95	**SB84**			2	Y–30 N–17 P–0 NV–0 EXA–3 EXV–0	LIMIT OPTIONS IN GROSS
308	04/18/95	**SB84**			1	Y–47 N–0 P–0 NV–0 EXA–3 EXV–0	LIMIT OPTIONS IN GROSS
309	04/18/95	**SB84**	3			Y–45 N–2 P–0 NV–0 EXA–3 EXV–0	LIMIT OPTIONS IN GROSS
310	04/18/95	**SB258**	3			Y–43 N–1 P–0 NV–3 EXA–3 EXV–0	RECORD KEEPING/CHILD SUPPORT
311	04/19/95					Y–26 N–21 P–0 NV–0 EXA–3 EXV–0	TEST VOTE
312	04/19/95	**HB206**	2			Y–46 N–0 P–0 NV–1 EXA–3 EXV–0	FLAT ROCK INCORPORATED
313	04/19/95	**HCB122**	3			Y–45 N–1 P–0 NV–1 EXA–3 EXV–0	TRANSPORTER PLATE/SALVAGE
314	04/19/95	**SB279**	2			Y–38 N–7 P–0 NV–2 EXA–3 EXV–0	SCHOOL BOARDS/QUICK TAKE
315	04/19/95	**SB325**	2			Y–46 N–0 P–0 NV–1 EXA–3 EXV–0	SPECIAL PROS./GRAND JURIES/AB
316	04/19/95	**SB383**	2			Y–45 N–1 P–0 NV–1 EXA–3 EXV–0	EMERGENCY/PRISON LAUNDRY/AB
317	04/19/95	**SB555**	2			Y–39 N–7 P–0 NV–1 EXA–3 EXV–0	DENTAL EXAMINERS FEES/AB
318	04/19/95	**HB71**	2			Y–45 N–0 P–0 NV–2 EXA–3 EXV–0	SCHOOL WEAPON EXEMPTION
319	04/19/95	**SCB99**	2			Y–44 N–0 P–0 NV–3 EXA–3 EXV–0	SCHOOL FLEX./ACCOUNTABILITY
320	04/19/95	**SCB695**	2			Y–43 N–1 P–0 NV–3 EXA–3 EXV–0	AGRICULTURE WASTE COMN.
321	04/19/95	**SCB259**	3			Y–43 N–1 P–0 NV–3 EXA–3 EXV–0	CIVIL DAMAGES/CERTAIN CRIMES
322	04/19/95	**HB71**	2			Y–46 N–0 P–0 NV–1 EXA–3 EXV–0	SCHOOL WEAPON EXEMPTION
323	04/20/95					Y–28 N–20 P–0 NV–0 EXA–2 EXV–0	TEST VOTE
324	04/20/95	**SB437**	2			Y–41 N–2 P–0 NV–5 EXA–2 EXV–0	GOV. CONSTRUCTION CONTRACTS
325	04/20/95	**HB206**	3			Y–44 N–0 P–0 NV–4 EXA–2 EXV–0	FLAT ROCK INCORPORATED
326	04/20/95	**SB437**			2	Y–48 N–0 P–0 NV–0 EXA–2 EXV–0	GOV. CONSTRUCTION CONTRACTS
327	04/20/95	**SB437**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0	GOV. CONSTRUCTION CONTRACTS
328	04/20/95	**SB279**	3			Y–41 N–6 P–0 NV–1 EXA–2 EXV–0	SCHOOL BOARDS/QUICK TAKE
329	04/20/95	**SCB65**			2	Y–45 N–2 P–0 NV–1 EXA–2 EXV–0	REGULATE CHECK-CASHING
330	04/20/95	**SCB65**			3	Y–7 N–40 P–0 NV–1 EXA–2 EXV–0	REGULATE CHECK-CASHING
331	04/20/95	**SCB65**	2			Y–39 N–8 P–0 NV–0 EXA–3 EXV–0	REGULATE CHECK-CASHING
332	04/20/95	**SCB82**	2			Y–46 N–0 P–0 NV–0 EXA–3 EXV–1	ESTATE AMOUNT CHANGES

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333	04/20/95	**SCB287**	2			Y–41 N–5 P–0 NV–1 EXA–3 EXV–0 AMEND STATUTORY RAPE LAW
334	04/20/95	**SCB294**	2			Y–45 N–1 P–0 NV–1 EXA–3 EXV–0 REGULATION OF BARBERS/AB
335	04/20/95	**SB379**	2			Y–38 N–8 P–0 NV–1 EXA–3 EXV–0 PSYCH. COUNSELING OF PARENTS
336	04/20/95	**SB405**		5		Y–17 N–27 P–0 NV–3 EXA–3 EXV–0 STATE PERSONNEL ACT/AB
337	04/20/95	**SB405**	2			Y–43 N–3 P–0 NV–1 EXA–3 EXV–0 STATE PERSONNEL ACT/AB
338	04/20/95	**SB407**	2			Y–46 N–0 P–0 NV–1 EXA–3 EXV–0 TRANSPARK VEH. FEE EXEMPTION
339	04/20/95	**SB478**	2			Y–45 N–0 P–0 NV–2 EXA–3 EXV–0 NURSING HOME REQ./AB
340	04/20/95	**SB379**	2			Y–39 N–8 P–0 NV–0 EXA–3 EXV–0 PSYCH. COUNSELING OF PARENTS
341	04/20/95	**SB437**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 GOV. CONSTRUCTION CONTRACTS
342	04/24/95					Y–26 N–24 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
343	04/24/95	**HJR226**	2			Y–48 N–0 P–0 NV–0 EXA–2 EXV–0 UNC–CH WOMEN'S BASKETBALL
344	04/24/95	**SCB582**			1	Y–45 N–1 P–0 NV–2 EXA–2 EXV–0 WINSTON-SALEM BEER/WINE
345	04/24/95	**SCB582**	2			Y–47 N–1 P–0 NV–0 EXA–2 EXV–0 WINSTON-SALEM BEER/WINE
346	04/24/95	**SB408**	2			Y–46 N–1 P–0 NV–1 EXA–2 EXV–0 EQUITY LINE AGREEMENTS
347	04/24/95	**SCB82**			2	Y–48 N–0 P–0 NV–0 EXA–2 EXV–0 ESTATE AMOUNT CHANGES
348	04/24/95	**SCB82**	3			Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 ESTATE AMOUNT CHANGES
349	04/24/95	**SB405**	3			Y–48 N–0 P–0 NV–0 EXA–2 EXV–0 STATE PERSONNEL ACT/AB
350	04/24/95	**SB478**	3			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 NURSING HOME REQ./AB
351	04/24/95	**SCB65**	3			Y–41 N–7 P–0 NV–0 EXA–2 EXV–0 REGULATE CHECK-CASHING
352	04/25/95					Y–26 N–24 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
353	04/25/95	**SCB582**			2	Y–43 N–1 P–0 NV–4 EXA–2 EXV–0 WINSTON-SALEM BEER/WINE
354	04/25/95	**SCB582**			**3**	Y–44 N–2 P–0 NV–2 EXA–2 EXV–0 WINSTON-SALEM BEER/WINE
355	04/25/95	**SCB582**	3			Y–45 N–2 P–0 NV–1 EXA–2 EXV–0 WINSTON-SALEM BEER/WINE
356	04/25/95	**SCB245**	2			Y–43 N–0 P–0 NV–5 EXA–2 EXV–0 OPENING EMPTY LOCK BOXES
357	04/25/95	**SCB245**	3			Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 OPENING EMPTY LOCK BOXES
358	04/25/95	**SB303**	2			Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 COMM. COLLEGES BD./ABSENCES
359	04/25/95	**SB307**	2			Y–38 N–8 P–0 NV–2 EXA–2 EXV–0 SANITARY DISTRICT QUICK TAKE
360	04/25/95	**SB307**	3			Y–38 N–8 P–0 NV–2 EXA–2 EXV–0 SANITARY DISTRICT QUICK TAKE

SEQ#	DATE	BILL	RDG	CR	MOT	AMD	TOTALS	(LEGEND—SEE PAGE 350)
361	04/25/95	**SB470**	2				Y-34 N-11 P-0 NV-3 EXA-2 EXV-0	GOOD FUNDS SETTLEMENT ACT
362	04/25/95	**SCB521**	2				Y-45 N-0 P-0 NV-3 EXA-2 EXV-0	HOUSING ENFORCE. *LIS PENDENS*
363	04/25/95	**SB544**	2				Y-43 N-2 P-0 NV-3 EXA-2 EXV-0	TRANSFER FACILITIES HEARING
364	04/26/95						Y-40 N-8 P-0 NV-0 EXA-2 EXV-0	TEST VOTE
365	04/26/95	**HB146**		C	7		Y-47 N-0 P-0 NV-1 EXA-2 EXV-0	LUMBERTON VEHICLE TOWING
366	04/26/95	**SCB295**			2	1	Y-45 N-2 P-0 NV-1 EXA-2 EXV-0	SMOKE DETECTORS/RENTAL PROP.
367	04/26/95	**SCB295**				1	Y-24 N-21 P-0 NV-3 EXA-2 EXV-0	SMOKE DETECTORS/RENTAL PROP.
368	04/26/95	**SCB295**	2				Y-41 N-6 P-0 NV-1 EXA-2 EXV-0	SMOKE DETECTORS/RENTAL PROP.
369	04/26/95	**SCB295**				1	Y-25 N-21 P-0 NV-2 EXA-2 EXV-0	SMOKE DETECTORS/RENTAL PROP.
370	04/26/95	**SCB295**	2				Y-42 N-6 P-0 NV-0 EXA-2 EXV-0	SMOKE DETECTORS/RENTAL PROP.
371	04/26/95	**SB318**	2				Y-48 N-0 P-0 NV-0 EXA-2 EXV-0	OLDER ADULTS PLAN UPDATE/AB
372	04/26/95	**HB375**				1	Y-47 N-0 P-0 NV-0 EXA-3 EXV-0	OUT-OF-STATE INMATE/FUNDS/AB
373	04/26/95	**HB375**	2				Y-46 N-0 P-0 NV-1 EXA-3 EXV-0	OUT-OF-STATE INMATE/FUNDS/AB
374	04/26/95	**SB332**				1	Y-39 N-6 P-0 NV-2 EXA-3 EXV-0	CHARGES/REVOLVING CREDIT
375	04/26/95	**SB332**	2				Y-42 N-3 P-0 NV-2 EXA-3 EXV-0	CHARGES/REVOLVING CREDIT
376	04/26/95	**SB686**	2				Y-46 N-0 P-0 NV-1 EXA-3 EXV-0	BANKING COMMISSION AUTH.
377	04/26/95	**SB755**	2				Y-47 N-0 P-0 NV-0 EXA-3 EXV-0	EMPLOYEE BENEFITS COMMITTEE
378	04/26/95	**HB527**	2				Y-46 N-1 P-0 NV-0 EXA-3 EXV-0	DIVIDE SUPERIOR COURT DIST. 11
379	04/26/95	**SCB624**			4		Y-25 N-22 P-0 NV-0 EXA-3 EXV-0	STATE LOTTERY REFERENDUM
380	04/26/95	**SB470**	3				Y-38 N-9 P-0 NV-0 EXA-3 EXV-0	GOOD FUNDS SETTLEMENT ACT
381	04/26/95	**SCB521**			4		Y-15 N-30 P-0 NV-2 EXA-3 EXV-0	HOUSING ENFORCE. *LIS PENDENS*
382	04/26/95	**SCB521**	3				Y-42 N-4 P-0 NV-1 EXA-3 EXV-0	HOUSING ENFORCE. *LIS PENDENS*
383	04/26/95	**SB544**	3				Y-44 N-1 P-0 NV-2 EXA-3 EXV-0	TRANSFER FACILITIES HEARINGS
384	04/27/95						Y-42 N-5 P-0 NV-0 EXA-3 EXV-0	TEST VOTE
385	04/27/95	**SB602**				1	Y-7 N-38 P-0 NV-2 EXA-3 EXV-0	FOSCOE-GRANDFATHER INC.
386	04/27/95	**SB602**				2	Y-44 N-1 P-0 NV-2 EXA-3 EXV-0	FOSCOE-GRANDFATHER INC.
387	04/27/95	**SB602**	2				Y-44 N-2 P-0 NV-1 EXA-3 EXV-0	FOSCOE-GRANDFATHER INC.
388	04/27/95	**SB684**	2				Y-46 N-0 P-0 NV-1 EXA-3 EXV-0	DURHAM EMERGENCY REPAIRS

SEQ#	DATE	BILL	RDG	CR MOT	AMD	TOTALS (LEGEND—SEE PAGE 350)
389	04/27/95	**HCB128**	2			Y–43 N–1 P–0 NV–3 EXA–3 EXV–0 WHEEL LOCKS/HENDERSON/ ASHEVILLE
390	04/27/95	**SCB483**	2			Y–45 N–0 P–0 NV–1 EXA–4 EXV–0 INSPECTION OF BISON MEAT/AB
391	04/27/95	**SCB560**	2			Y–45 N–0 P–0 NV–1 EXA–4 EXV–0 DSS/YOUTH EMPLOYMENT CERT.
392	04/27/95	**SB751**	2			Y–43 N–2 P–0 NV–1 EXA–4 EXV–0 COUNSELOR TREATMENT INS.
393	04/27/95	**HCB248**	2			Y–43 N–0 P–0 NV–3 EXA–4 EXV–0 UNION/COLUMBUS FIRE FEE
394	05/01/95					Y–27 N–23 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
395	05/01/95	**SB602**	3			Y–46 N–2 P–0 NV–0 EXA–2 EXV–0 FOSCOE INCORPORATED
396	05/01/95	**SB684**	3			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 DURHAM EMERGENCY REPAIRS
397	05/01/95	**HCB128**	3			Y–47 N–1 P–0 NV–0 EXA–2 EXV–0 WHEEL LOCKS/HENDERSON/ ASHEVILLE
398	05/01/95	**HCB248**	3			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 UNION/COLUMBUS FIRE FEE
399	05/01/95	**SB726**	2			Y–48 N–0 P–0 NV–0 EXA–2 EXV–0 WAKE SCHOOL ACQUISITION
400	05/01/95	**SCB300**	2			Y–42 N–6 P–0 NV–0 EXA–2 EXV–0 CDBG LOAN GUARANTEES/AB
401	05/01/95	**SB606**	2			Y–41 N–7 P–0 NV–0 EXA–2 EXV–0 CENTENNIAL AUTHORITY
402	05/01/95	**SCB140**	2			Y–48 N–0 P–0 NV–0 EXA–2 EXV–0 MOMENT OF SILENCE
403	05/01/95	**SB308**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 MEDICAID FRAUD CHANGE/AB
404	05/01/95	**SB308**	3			Y–48 N–0 P–0 NV–0 EXA–2 EXV–0 MEDICAID FRAUD CHANGE/AB
405	05/01/95	**SCB353**	2			Y–47 N–1 P–0 NV–0 EXA–2 EXV–0 INSURANCE AMENDMENTS/AB
406	05/01/95	**SCB353**	3			Y–44 N–0 P–0 NV–4 EXA–2 EXV–0 INSURANCE AMENDMENTS/AB
407	05/01/95	**SB431**	2			Y–43 N–2 P–0 NV–3 EXA–2 EXV–0 CHARLOTTE SCHOOL PROGRAM
408	05/01/95	**HCB773**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 OB-GYN ACCESS
409	05/01/95	**SCB652**	2			Y–48 N–0 P–0 NV–0 EXA–2 EXV–0 SMALL EMPLOYER COVERAGE
410	05/01/95	**SB721**			2	Y–46 N–1 P–0 NV–1 EXA–2 EXV–0 LIABILITY/MINOR'S DAMAGE
411	05/01/95	**SB721**			3	Y–26 N–21 P–0 NV–1 EXA–2 EXV–0 LIABILITY/MINOR'S DAMAGE
412	05/01/95	**SB721**	2			Y–41 N–7 P–0 NV–0 EXA–2 EXV–0 LIABILITY/MINOR'S DAMAGE
413	05/01/95	**SB721**		4		Y–21 N–26 P–0 NV–1 EXA–2 EXV–0 LIABILITY/MINOR'S DAMAGE
414	05/01/95	**SB838**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 SOLICITATIONS ACT/EXEMPTION

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415	05/01/95	**HB331**	2			Y–46 N–1 P–0 NV–1 EXA–2 EXV–0	DISABLED HUNTING/FISHING EXEMPTIONS
416	05/01/95	**SCB353**	3			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0	INSURANCE AMENDMENTS/AB
417	05/02/95					Y–28 N–22 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
418	05/02/95	**SB726**	3			Y–49 N–0 P–0 NV–0 EXA–1 EXV–0	WAKE SCHOOL ACQUISITION
419	05/02/95	**SCB300**	3			Y–46 N–3 P–0 NV–0 EXA–1 EXV–0	CDBG LOAN GUARANTEES/AB
420	05/02/95	**SB606**	3			Y–45 N–4 P–0 NV–0 EXA–1 EXV–0	CENTENNIAL AUTHORITY
421	05/02/95	**SB668**	2			Y–49 N–0 P–0 NV–0 EXA–1 EXV–0	PRIVATE CONTRACT PARTICIPATION
422	05/02/95	**SB679**	2			Y–47 N–0 P–0 NV–1 EXA–1 EXV–1	WATER AND SEWER DISTRICT VALIDATION
423	05/02/95	**HCB405**	2			Y–47 N–1 P–0 NV–1 EXA–1 EXV–0	TAKING NONGAME ANIMALS/AB
424	05/02/95	**SCB140**	3			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0	MOMENT OF SILENCE
425	05/03/95					Y–24 N–24 P–0 NV–0 EXA–2 EXV–0	TEST VOTE
426	05/03/95	**SB339**	2			Y–44 N–0 P–0 NV–3 EXA–3 EXV–0	STANLY AIRPORT AUTHORITY
427	05/03/95	**SB524**	2			Y–44 N–0 P–0 NV–3 EXA–3 EXV–0	ORANGE OMNIBUS
428	05/03/95	**SCB166**	2			Y–39 N–5 P–0 NV–3 EXA–3 EXV–0	REGULATE ATTORNEYS-AT-LAW/AB
429	05/03/95	**SCB180**	2			Y–45 N–0 P–0 NV–1 EXA–4 EXV–0	ESC/ANNUAL REPORTS
430	05/03/95	**SB459**	2			Y–46 N–0 P–0 NV–0 EXA–4 EXV–0	BAIL BOND FORFEITURES
431	05/03/95	**SB477**			3	Y–46 N–0 P–0 NV–0 EXA–4 EXV–0	FOREIGN-MONEY CLAIMS ACT
432	05/03/95	**SB477**	2			Y–46 N–0 P–0 NV–0 EXA–4 EXV–0	FOREIGN-MONEY CLAIMS ACT
433	05/03/95	**SB477**	3			Y–45 N–0 P–0 NV–1 EXA–4 EXV–0	FOREIGN-MONEY CLAIMS ACT
434	05/03/95	**SB505**			2	Y–46 N–0 P–0 NV–0 EXA–4 EXV–0	LOCAL BOARDS OF HEALTH
435	05/03/95	**SB505**	2			Y–45 N–0 P–0 NV–1 EXA–4 EXV–0	LOCAL BOARDS OF HEALTH
436	05/03/95	**SB505**	3			Y–45 N–0 P–0 NV–1 EXA–4 EXV–0	LOCAL BOARDS OF HEALTH
437	05/03/95	**SB693**	2			Y–42 N–3 P–0 NV–1 EXA–4 EXV–0	VEHICLE TAX CHANGES
438	05/03/95	**SB764**	2			Y–45 N–0 P–0 NV–1 EXA–4 EXV–0	ADJUST DEER MANAGEMENT
439	05/03/95	**SB838**			2	Y–12 N–33 P–0 NV–1 EXA–4 EXV–0	SOLICITATIONS ACT/EXEMPTION
440	05/03/95	**SB838**	3			Y–36 N–9 P–0 NV–1 EXA–4 EXV–0	SOLICITATIONS ACT/EXEMPTION

SEQ#	DATE	BILL	RDG	CR	MOT	AMD	TOTALS (LEGEND—SEE PAGE 350)
441	05/03/95	**SCB166**	2				Y–40 N–5 P–0 NV–2 EXA–3 EXV–0 REGULATE ATTORNEYS-AT-LAW/AB
442	05/03/95	**SCB180**	2				Y–46 N–0 P–0 NV–0 EXA–4 EXV–0 ESC/ANNUAL REPORTS
443	05/03/95	**SB693**	2				Y–43 N–3 P–0 NV–0 EXA–4 EXV–0 VEHICLE TAX CHANGES
444	05/03/95	**SB764**	2				Y–46 N–0 P–0 NV–0 EXA–4 EXV–0 ADJUST DEER MANAGEMENT
445	05/04/95						Y–27 N–23 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
446	05/04/95	**SB756**				1	Y–18 N–27 P–0 NV–1 EXA–4 EXV–0 HIGH SCH./COMM. COLL. STUDENT
447	05/04/95	**HCB7**		C	7		Y–42 N–0 P–0 NV–4 EXA–4 EXV–0 STATE BD. OF EDUC. AUTHORITY
448	05/04/95	**SB339**	3				Y–35 N–0 P–0 NV–11 EXA–4 EXV–0 STANLY AIRPORT AUTHORITY
449	05/04/95	**SB524**	3				Y–38 N–0 P–0 NV–8 EXA–4 EXV–0 ORANGE OMNIBUS
450	05/04/95	**SB458**	2				Y–40 N–0 P–0 NV–6 EXA–4 EXV–0 GREENVILLE ANNEXATION
451	05/04/95	**SB557**	2				Y–39 N–1 P–0 NV–6 EXA–4 EXV–0 WILMINGTON ANNEXATION
452	05/04/95	**SB664**	2				Y–40 N–0 P–0 NV–6 EXA–4 EXV–0 PLYMOUTH CHARTER REVISION
453	05/04/95	**HB214**	2				Y–40 N–0 P–0 NV–6 EXA–4 EXV–0 TARBORO CHARTER REVISION
454	05/04/95	**SB649**	2				Y–41 N–3 P–0 NV–2 EXA–4 EXV–0 SWEET POTATO ASSESSMENTS
455	05/04/95	**SCB51**				1	Y–46 N–0 P–0 NV–0 EXA–4 EXV–0 REMOVE DANGEROUS STUDENTS
456	05/04/95	**SCB51**	2				Y–45 N–1 P–0 NV–0 EXA–4 EXV–0 REMOVE DANGEROUS STUDENTS
457	05/04/95	**SCB57**	2				Y–20 N–24 P–0 NV–2 EXA–4 EXV–0 ABC LRC & OTHER CHANGES
458	05/04/95	**SCB57**	2		6		Y–24 N–20 P–0 NV–2 EXA–4 EXV–0 ABC LRC & OTHER CHANGES
459	05/04/95	**SCB154**	2				Y–41 N–0 P–0 NV–4 EXA–5 EXV–0 REPORTABLE ACCIDENT AMOUNT
460	05/04/95	**SCB154**	3				Y–42 N–0 P–0 NV–3 EXA–5 EXV–0 REPORTABLE ACCIDENT AMOUNT
461	05/04/95	**SCB334**	2				Y–39 N–0 P–0 NV–6 EXA–5 EXV–0 OMBUDSMAN/REST HOME COM/AB
462	05/04/95	**SCB334**	3				Y–38 N–0 P–0 NV–7 EXA–5 EXV–0 OMBUDSMAN/REST HOME COM/AB
463	05/04/95	**SB447**				1	Y–40 N–1 P–0 NV–4 EXA–5 EXV–0 BOARD SELF-APPOINTMENTS
464	05/04/95	**SB447**	2				Y–37 N–6 P–0 NV–2 EXA–5 EXV–0 BOARD SELF-APPOINTMENTS
465	05/04/95	**SCB506**	2				Y–42 N–3 P–0 NV–0 EXA–5 EXV–0 HEALTH LAW CHANGES
466	05/04/95	**SB530**	2				Y–42 N–0 P–0 NV–3 EXA–5 EXV–0 ROAD CLOSURE HEARINGS
467	05/04/95	**SB339**	3				Y–42 N–0 P–0 NV–4 EXA–4 EXV–0 STANLY AIRPORT AUTHORITY
468	05/04/95	**SB524**	3				Y–44 N–0 P–0 NV–2 EXA–4 EXV–0 ORANGE OMNIBUS

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469	05/08/95					Y–26 N–22 P–0 NV–0 EXA–2 EXV–0	TEST VOTE
470	05/08/95	**SB81**			4	Y–44 N–1 P–0 NV–3 EXA–2 EXV–0	UCC AMENDMENTS
471	05/08/95	**SB81**	2			Y–44 N–1 P–0 NV–3 EXA–2 EXV–0	UCC AMENDMENTS
472	05/08/95	**SB546**			1	Y–29 N–15 P–0 NV–4 EXA–2 EXV–0	CITY VOTE
473	05/08/95	**SB546**	2			Y–35 N–9 P–0 NV–4 EXA–2 EXV–0	CITY VOTE
474	05/08/95	**SB554**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0	GOODS & SERVICES/DISABLED/AB
475	05/08/95	**SB564**	2			Y–47 N–1 P–0 NV–0 EXA–2 EXV–0	RESETTING EXECUTION DATE
476	05/08/95	**SB651**			2	Y–47 N–0 P–0 NV–1 EXA–2 EXV–0	IDENTIFY DEAD BODIES
477	05/08/95	**SB651**			3	Y–16 N–31 P–0 NV–1 EXA–2 EXV–0	IDENTIFY DEAD BODIES
478	05/08/95	**SB651**	2			Y–39 N–9 P–0 NV–0 EXA–2 EXV–0	IDENTIFY DEAD BODIES
479	05/08/95	**SB682**	2			Y–45 N–0 P–0 NV–3 EXA–2 EXV–0	STANDBY GUARDIANSHIP ACT
480	05/08/95	**SB780**	2			Y–45 N–0 P–0 NV–3 EXA–2 EXV–0	NURSING HOME REQ./AB
481	05/08/95	**SCB166**			2	Y–43 N–2 P–0 NV–3 EXA–2 EXV–0	REGULATE ATTORNEYS–AT–LAW/AB
482	05/08/95	**SCB166**	3			Y–44 N–1 P–0 NV–3 EXA–2 EXV–0	REGULATE ATTORNEYS–AT–LAW/AB
483	05/08/95	**SB458**	3			Y–45 N–1 P–0 NV–2 EXA–2 EXV–0	GREENVILLE ANNEXATION
484	05/08/95	**SB557**	3			Y–43 N–3 P–0 NV–2 EXA–2 EXV–0	WILMINGTON ANNEXATION
485	05/08/95	**SB664**	3			Y–45 N–1 P–0 NV–2 EXA–2 EXV–0	PLYMOUTH CHARTER REVISION
486	05/08/95	**HB214**	3			Y–45 N–1 P–0 NV–2 EXA–2 EXV–0	TARBORO CHARTER REVISION
487	05/08/95	**SB270**	2			Y–35 N–11 P–0 NV–2 EXA–2 EXV–0	SHELBY OCCUPANCY TAX
488	05/08/95	**SB364**	2			Y–38 N–8 P–0 NV–2 EXA–2 EXV–0	COLUMBUS OCCUPANCY TAX
489	05/08/95	**SB264**	2	8		Y–43 N–0 P–0 NV–5 EXA–2 EXV–0	BETHANIA CHARTER
490	05/08/95	**SB649**			1	Y–41 N–0 P–0 NV–7 EXA–2 EXV–0	SWEET POTATO ASSESSMENTS
491	05/08/95	**SB649**	3			Y–42 N–2 P–0 NV–4 EXA–2 EXV–0	SWEET POTATO ASSESSMENTS
492	05/08/95	**SB293**	2			Y–39 N–7 P–0 NV–2 EXA–2 EXV–0	LIQUOR IMPORTER/BOTTLER
493	05/08/95	**SCB26**			1	Y–45 N–3 P–0 NV–0 EXA–2 EXV–0	SCHOOL EXPULSION MODIFIED
494	05/08/95	**SCB26**	2			Y–39 N–7 P–0 NV–2 EXA–2 EXV–0	SCHOOL EXPULSION MODIFIED
495	05/08/95	**SCB127**	2			Y–48 N–0 P–0 NV–0 EXA–2 EXV–0	DOM. ABUSE/DISABLED/ELDERLY
496	05/08/95	**SCB159**	2			Y–46 N–1 P–0 NV–1 EXA–2 EXV–0	ADOPTIONS REWRITE

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497	05/08/95	**SB323**	2			Y–45 N–1 P–0 NV–2 EXA–2 EXV–0 OBSERVERS AT POLLS
498	05/08/95	**SB341**	2			Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 RETIREMENT/FEDERAL COMPLIANCE/AB
499	05/08/95	**SCB362**	2			Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 SHERIFFS' COMMISSION/AB
500	05/08/95	**SB449**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 HEALTH WORKER LIABILITY
501	05/08/95	**SB501**			1	Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 GRANDPARENT/CHILD SUPPORT
502	05/08/95	**SB501**	2			Y–45 N–3 P–0 NV–0 EXA–2 EXV–0 GRANDPARENT/CHILD SUPPORT
503	05/08/95	**SB565**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 CORR. OVERSIGHT SALARY STUDY/AB
504	05/08/95	**SB567**	2			Y–43 N–2 P–0 NV–3 EXA–2 EXV–0 DOMESTIC VIOLENCE CHANGES
505	05/08/95	**SCB590**	2			Y–41 N–0 P–0 NV–7 EXA–2 EXV–0 1995 TECHNICAL CORRECTIONS
506	05/08/95	**SCB612**	2			Y–44 N–1 P–0 NV–3 EXA–2 EXV–0 BUILDING CODE/SPRINKLER REQ.
507	05/08/95	**SCB643**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 SEWER SYSTEM MORATORIUM
508	05/08/95	**SB653**	2			Y–46 N–1 P–0 NV–1 EXA–2 EXV–0 AMEND MEDICAL PRACTICE ACT
509	05/08/95	**SB449**	3			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 HEALTH WORKER LIABILITY
510	05/08/95	**SCB687**	2			Y–39 N–7 P–0 NV–2 EXA–2 EXV–0 IMPROVEMENT PERMITS/SEWAGE SYSTEMS
511	05/08/95	**SB742**			1	Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 THOMAS S. DEATH REVIEW/AB
512	05/08/95	**SB752**	2			Y–42 N–0 P–0 NV–6 EXA–2 EXV–0 MOUNTAIN RIDGE SERVICE DIST.
513	05/08/95	**SB772**	2			Y–44 N–1 P–0 NV–3 EXA–2 EXV–0 OAH MEDIATION/SUNSET OFF
514	05/08/95	**SB833**	2			Y–40 N–6 P–0 NV–2 EXA–2 EXV–0 AMBER LIGHTS/STOPPED VEHICLE
515	05/08/95	**SB836**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 CIVIL ACTION/PATERNITY
516	05/08/95	**SB843**	2			Y–43 N–3 P–0 NV–2 EXA–2 EXV–0 ANTITRUST REVISIONS
517	05/08/95	**SB846**	2			Y–42 N–4 P–0 NV–2 EXA–2 EXV–0 ADVANCE INSTRUCTION/MH TREATMENT/AB
518	05/08/95	**SCB858**			1	Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 SCH. ADMINISTRATORS' CONTR.
519	05/08/95	**SCB858**	2			Y–40 N–6 P–0 NV–2 EXA–2 EXV–0 SCH. ADMINISTRATORS' CONTR.
520	05/08/95	**SB865**	2			Y–43 N–3 P–0 NV–2 EXA–2 EXV–0 COMPLY WITH BRADY BILL
521	05/08/95	**SCB590**	2			Y–42 N–0 P–0 NV–6 EXA–2 EXV–0 1995 TECHNICAL CORRECTIONS
522	05/08/95	**SCB612**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 BUILDING CODE/SPRINKLER

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523	05/09/95					Y–26 N–24 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
524	05/09/95	**SB871**	2			Y–48 N–0 P–0 NV–1 EXA–1 EXV–0	EMERGENCY RECALL/COURT OF APPEALS
525	05/09/95	**SCB873**	2			Y–35 N–11 P–0 NV–3 EXA–1 EXV–0	REZONING NOTICE
526	05/09/95	**SB884**	2			Y–36 N–13 P–0 NV–0 EXA–1 EXV–0	FIRE SPRINKLER SYSTEM DRAWINGS
527	05/09/95	**SB918**	2			Y–45 N–1 P–0 NV–3 EXA–1 EXV–0	EMERGENCY SCHOOL CLOSINGS
528	05/09/95	**SB890**	2			Y–45 N–0 P–0 NV–4 EXA–1 EXV–0	CARDIAC REHAB. PROGRAM
529	05/09/95	**SB919**	2			Y–46 N–1 P–0 NV–2 EXA–1 EXV–0	MOTOR VEHICLE DEALER
530	05/09/95	**SB922**	2			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0	TEACHER ASSISTANTS
531	05/09/95	**SB270**	3			Y–39 N–6 P–0 NV–4 EXA–1 EXV–0	SHELBY OCCUPANCY TAX
532	05/09/95	**SB364**	3			Y–37 N–7 P–0 NV–5 EXA–1 EXV–0	COLUMBUS OCCUPANCY TAX
533	05/09/95	**SB556**	3			Y–43 N–1 P–0 NV–5 EXA–1 EXV–0	MODIFY BURKE ROOM TAX USE
534	05/09/95	**SB681**	3			Y–44 N–1 P–0 NV–4 EXA–1 EXV–0	GREENSBORO ROOM TAX USE
535	05/09/95	**SB712**	3			Y–39 N–3 P–0 NV–7 EXA–1 EXV–0	DURHAM/EMPLOYMENT DISCRIMINATION
536	05/09/95	**SB264**	3	8		Y–47 N–0 P–0 NV–2 EXA–1 EXV–0	BETHANIA CHARTER
537	05/09/95	**SB293**	3			Y–38 N–8 P–0 NV–3 EXA–1 EXV–0	LIQUOR IMPORTER/BOTTLER
538	05/09/95	**SB752**	3			Y–46 N–0 P–0 NV–3 EXA–1 EXV–0	MOUNTAIN RIDGE SERVICE DIST.
539	05/09/95	**SCB15**	2			Y–45 N–1 P–0 NV–3 EXA–1 EXV–0	STATE EDUCATION AGENCY–2
540	05/09/95	**SB320**			3	Y–45 N–1 P–0 NV–3 EXA–1 EXV–0	UNIFORM CUSTODIAL TRUST ACT
541	05/09/95	**SB320**			4	Y–42 N–2 P–0 NV–5 EXA–1 EXV–0	UNIFORM CUSTODIAL TRUST ACT
542	05/09/95	**SB320**	2			Y–35 N–11 P–0 NV–3 EXA–1 EXV–0	UNIFORM CUSTODIAL TRUST ACT
543	05/09/95	**SB423**	2			Y–44 N–1 P–0 NV–4 EXA–1 EXV–0	VOC. REHAB. SERVICES ACT/AB
544	05/09/95	**SB499**	2			Y–40 N–1 P–0 NV–8 EXA–1 EXV–0	RESCUE SQ. WRKR. RELIEF FUND
545	05/09/95	**SB701**	2			Y–37 N–9 P–0 NV–3 EXA–1 EXV–0	ALGEBRA/LD CHILD
546	05/09/95	**SB558**	2			Y–43 N–2 P–0 NV–4 EXA–1 EXV–0	EVICTION/DRUG OFFENDERS
547	05/09/95	**SCB873**			1	Y–44 N–0 P–0 NV–5 EXA–1 EXV–0	REZONING NOTICE
548	05/09/95	**SCB873**	3			Y–43 N–0 P–0 NV–6 EXA–1 EXV–0	REZONING NOTICE

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549	05/09/95	**SCB771**	2			Y–45 N–0 P–0 NV–4 EXA–1 EXV–0 PUB. HOSPITALS/INDEP. CONTRACT
550	05/09/95	**SB864**			2	Y–44 N–0 P–0 NV–5 EXA–1 EXV–0 ADULT CARE HM REQ/RULES/AB
551	05/09/95	**SB864**	2			Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 ADULT CARE HM REQ/RULES/AB
552	05/09/95	**SB874**	2			Y–45 N–1 P–0 NV–3 EXA–1 EXV–0 ENVIRONMENTAL CLAR./ CONFORM./TECH.
553	05/09/95	**SCB940**			1	Y–37 N–3 P–0 NV–9 EXA–1 EXV–0 CHARTER SCHOOL ACT OF 1995
554	05/09/95	**SCB940**		2	2	Y–38 N–7 P–0 NV–4 EXA–1 EXV–0 CHARTER SCHOOL ACT OF 1995
555	05/09/95	**SCB940**			2	Y–16 N–30 P–0 NV–3 EXA–1 EXV–0 CHARTER SCHOOL ACT OF 1995
556	05/09/95	**SCB940**			3	Y–43 N–2 P–0 NV–4 EXA–1 EXV–0 CHARTER SCHOOL ACT OF 1995
557	05/09/95	**SCB940**	2	2		Y–41 N–4 P–0 NV–4 EXA–1 EXV–0 CHARTER SCHOOL ACT OF 1995
558	05/09/95	**SCB940**	2			Y–39 N–6 P–0 NV–4 EXA–1 EXV–0 CHARTER SCHOOL ACT OF 1995
559	05/09/95	**SB967**	2			Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 INMATE LABOR/COMM. COLLEGE
560	05/09/95	**SB1023**			1	Y–44 N–1 P–0 NV–4 EXA–1 EXV–0 INTERBASIN TRANSFERS
561	05/09/95	**SB1023**	2			Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 INTERBASIN TRANSFERS
562	05/09/95	**SB1078**	2			Y–40 N–0 P–0 NV–9 EXA–1 EXV–0 MORAL/ETHICAL/VIRTUOUS/EDUC.
563	05/09/95	**SB81**	3			Y–39 N–1 P–0 NV–9 EXA–1 EXV–0 UCC AMENDMENTS
564	05/09/95	**SCB362**	3			Y–45 N–0 P–0 NV–4 EXA–1 EXV–0 SHERIFFS' COMMISSION/AB
565	05/09/95	**SB501**			2	Y–14 N–30 P–0 NV–5 EXA–1 EXV–0 GRANDPARENT/CHILD SUPPORT
566	05/09/95	**SB501**	3			Y–44 N–1 P–0 NV–4 EXA–1 EXV–0 GRANDPARENT/CHILD SUPPORT
567	05/09/95	**SCB687**	3			Y–43 N–2 P–0 NV–4 EXA–1 EXV–0 IMPROVEMENT PERMITS/SEWAGE SYSTEMS
568	05/09/95	**SB890**	2			Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 CARDIAC REHAB. PROGRAM
569	05/09/95	**SB270**	3			Y–40 N–6 P–0 NV–3 EXA–1 EXV–0 SHELBY OCCUPANCY TAX
570	05/09/95	**SB556**	3			Y–44 N–1 P–0 NV–4 EXA–1 EXV–0 MODIFY BURKE ROOM TAX USE
571	05/09/95	**SB320**			4	Y–42 N–3 P–0 NV–4 EXA–1 EXV–0 UNIFORM CUSTODIAL TRUST ACT
572	05/09/95	**SB864**			2	Y–45 N–0 P–0 NV–4 EXA–1 EXV–0 ADULT CARE HM REQ/RULES/AB
573	05/09/95	**SCB940**			3	Y–43 N–2 P–0 NV–3 EXA–2 EXV–0 CHARTER SCHOOL ACT OF 1995
574	05/09/95	**SCB940**	2	2		Y–41 N–4 P–0 NV–3 EXA–2 EXV–0 CHARTER SCHOOL ACT OF 1995
575	05/09/95	**SCB940**	2			Y–39 N–6 P–0 NV–3 EXA–2 EXV–0 CHARTER SCHOOL ACT OF 1995

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576	05/09/95	**SB967**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0	INMATE LABOR/COMM. COLLEGES
577	05/09/95	**SB1023**			1	Y–44 N–1 P–0 NV–3 EXA–2 EXV–0	INTERBASIN TRANSFERS
578	05/09/95	**SB1023**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0	INTERBASIN TRANSFERS
579	05/09/95	**SB1078**	2			Y–40 N–0 P–0 NV–8 EXA–2 EXV–0	MORAL/ETHICAL/VIRTUOUS/EDUC.
580	05/09/95	**SB81**	3			Y–39 N–1 P–0 NV–8 EXA–2 EXV–0	UCC AMENDMENTS
581	05/09/95	**SCB362**	3			Y–45 N–0 P–0 NV–3 EXA–2 EXV–0	SHERIFFS' COMMISSION/AB
582	05/09/95	**SB501**			2	Y–14 N–30 P–0 NV–4 EXA–2 EXV–0	GRANDPARENT/CHILD SUPPORT
583	05/09/95	**SB501**	3			Y–44 N–1 P–0 NV–3 EXA–2 EXV–0	GRANDPARENT/CHILD SUPPORT
584	05/09/95	**SCB687**	3			Y–43 N–2 P–0 NV–3 EXA–2 EXV–0	IMPROVEMENT PERMITS/SEWAGE SYSTEMS
585	05/10/95					Y–27 N–23 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
586	05/10/95	**HCB381**	2			Y–43 N–0 P–0 NV–5 EXA–2 EXV–0	APEX SATELLITE ANNEXATIONS
587	05/10/95	**SB491**	2			Y–36 N–7 P–0 NV–5 EXA–2 EXV–0	HIGHLANDS OCCUPANCY TAX
588	05/10/95	**SB536**	2			Y–36 N–6 P–0 NV–6 EXA–2 EXV–0	MOUNT AIRY OCCUPANCY TAX
589	05/10/95	**SB706**			3	Y–43 N–0 P–0 NV–5 EXA–2 EXV–0	CABARRUS COUNTY WORKFARE
590	05/10/95	**SCB798**	2			Y–45 N–1 P–0 NV–2 EXA–2 EXV–0	SANITARY DISTRICT SERVICES
591	05/10/95	**SB126**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0	AGING COMN/LONG–TERM CARE
592	05/10/95	**SB126**	3			Y–43 N–0 P–0 NV–5 EXA–2 EXV–0	AGING COMN/LONG–TERM CARE
593	05/10/95	**SCB181**	2			Y–44 N–0 P–0 NV–4 EXA–2 EXV–0	PUB. HOSP. TRUST INC. EXEMPT
594	05/10/95	**SJR213**			1	Y–45 N–1 P–0 NV–2 EXA–2 EXV–0	PARTICIPATE/CONF. OF STATES
595	05/10/95	**SB312**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0	VENUE FOR INSANITY HEARINGS
596	05/10/95	**SB338**	2			Y–16 N–30 P–0 NV–2 EXA–2 EXV–0	DISTRICT COURT VACANCIES
597	05/10/95	**SB349**	2			Y–42 N–0 P–0 NV–6 EXA–2 EXV–0	HOUSING COORD./POLICY COUNCIL MEM.
598	05/10/95	**SCB402**			1	Y–23 N–22 P–0 NV–3 EXA–2 EXV–0	FIREARM/DOMESTIC VIOLENCE
599	05/10/95	**SCB402**	2	2		Y–44 N–4 P–0 NV–0 EXA–2 EXV–0	FIREARM/DOMESTIC VIOLENCE
600	05/10/95	**SCB402**	2			Y–34 N–13 P–0 NV–1 EXA–2 EXV–0	FIREARM/DOMESTIC VIOLENCE
601	05/10/95	**SCB402**	3	2		Y–42 N–6 P–0 NV–0 EXA–2 EXV–0	FIREARM/DOMESTIC VIOLENCE
602	05/10/95	**SCB402**	3			Y–34 N–14 P–0 NV–0 EXA–2 EXV–0	FIREARM/DOMESTIC VIOLENCE

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603	05/10/95	**SB452**	2			Y–43 N–2 P–0 NV–3 EXA–2 EXV–0 UNC BD. OF GOV. MEMBER LIMIT
604	05/10/95	**SB502**	2			Y–39 N–3 P–0 NV–6 EXA–2 EXV–0 ASSISTED LIVING REQ./AB
605	05/10/95	**SB541**	2			Y–42 N–3 P–0 NV–3 EXA–2 EXV–0 REVIEW OF DSS DECISIONS/AB
606	05/10/95	**SB33**			2	Y–42 N–0 P–0 NV–6 EXA–2 EXV–0 FELONY PLEAS IN DIST. CT.
607	05/10/95	**SB33**	2			Y–42 N–1 P–0 NV–5 EXA–2 EXV–0 FELONY PLEAS IN DIST. CT.
608	05/10/95	**SCB57**	2			Y–33 N–11 P–0 NV–4 EXA–2 EXV–0 ABC LRC & OTHER CHANGES
609	05/10/95	**SCB57**	3	2		Y–31 N–14 P–0 NV–3 EXA–2 EXV–0 ABC LRC & OTHER CHANGES
610	05/10/95	**SCB57**	3			Y–29 N–16 P–0 NV–3 EXA–2 EXV–0 ABC LRC & OTHER CHANGES
611	05/10/95	**SB577**	2			Y–30 N–14 P–0 NV–4 EXA–2 EXV–0 CPA EDUCATION REQUIREMENTS
612	05/10/95	**SB597**	2			Y–46 N–1 P–0 NV–1 EXA–2 EXV–0 DRUG TRAFFICKING CONSPIRACY
613	05/10/95	**SB616**	2			Y–46 N–1 P–0 NV–1 EXA–2 EXV–0 FELONY ASSAULT/LAW-ENFORCE. ANIMAL
614	05/10/95	**SB632**	2			Y–41 N–0 P–0 NV–7 EXA–2 EXV–0 VITAL RECORDS CHANGES
615	05/10/95	**SB642**	2			Y–43 N–3 P–0 NV–2 EXA–2 EXV–0 SOCIAL WORK BOARD FEES
616	05/10/95	**SCB691**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 PRESIDENT *PRO TEMPORE* APPTS
617	05/10/95	**SCB737**	2			Y–44 N–2 P–0 NV–2 EXA–2 EXV–0 FUNDS TRANSFER/COUNTIES/AB
618	05/10/95	**SB754**	2			Y–44 N–3 P–0 NV–1 EXA–2 EXV–0 MOTOR VEHICLE LIENS
619	05/10/95	**SB783**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 DRUG NUISANCE/FORFEITURE/AB
620	05/10/95	**SB792**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 BOND FORFEITURE/DIST. COURT
621	05/10/95	**SCB793**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 PHARMACY PRACTICE AMENDS
622	05/10/95	**SB783**			2	Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 DRUG NUISANCE/FORFEITURE/AB
623	05/10/95	**SB783**	3			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 DRUG NUISANCE/FORFEITURE/AB
624	05/10/95	**SB813**	2			Y–44 N–2 P–0 NV–2 EXA–2 EXV–0 ELECTION SUPERVISOR RENAMED
625	05/10/95	**SB818**	2			Y–46 N–1 P–0 NV–1 EXA–2 EXV–0 BIRTH DEFECTS/MONITOR
626	05/10/95	**SB828**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 SENATE PRESIDENT APPTS.
627	05/10/95	**SB855**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 PUBLIC HOSP. MANAGED CARE
628	05/10/95	**SB862**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 FORUM SELECTION EXCEPTION
629	05/10/95	**SB886**	2			Y–45 N–1 P–0 NV–2 EXA–2 EXV–0 HOSPITAL COOPERATION ACT

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630	05/10/95	**SB899**	2			Y–43 N–0 P–0 NV–5 EXA–2 EXV–0 FINANCIAL INSTIT. CONFIDENTIAL
631	05/10/95	**SB901**	2			Y–44 N–2 P–0 NV–2 EXA–2 EXV–0 *PRO TEMPORE* APPOINTMENTS
632	05/10/95	**SB929**			1	Y–44 N–0 P–0 NV–5 EXA–1 EXV–0 CIVIL PROCEDURE RULES
633	05/10/95	**SB929**	2			Y–45 N–0 P–0 NV–4 EXA–1 EXV–0 CIVIL PROCEDURE RULES
634	05/10/95	**SB939**	2			Y–38 N–7 P–0 NV–4 EXA–1 EXV–0 REPORTABLE DISEASE CHANGES
635	05/10/95	**SB961**			1	Y–45 N–2 P–0 NV–2 EXA–1 EXV–0 NONPARTISAN JUDICIAL ELECT.
636	05/10/95	**SB961**			2	Y–23 N–25 P–0 NV–1 EXA–1 EXV–0 NONPARTISAN JUDICIAL ELECT.
637	05/10/95	**SB961**	2			Y–27 N–21 P–0 NV–1 EXA–1 EXV–0 NONPARTISAN JUDICIAL ELECT.
638	05/10/95	**SB974**			2	Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 APPLICATOR/AGRICULTURE WASTE
639	05/10/95	**SB974**	2			Y–42 N–3 P–0 NV–4 EXA–1 EXV–0 APPLICATOR/AGRICULTURE WASTE
640	05/10/95	**SB974**	3			Y–43 N–4 P–0 NV–2 EXA–1 EXV–0 APPLICATOR/AGRICULTURE WASTE
641	05/10/95	**SB975**	2			Y–47 N–1 P–0 NV–1 EXA–1 EXV–0 TOBACCO ASSESSMENTS
642	05/10/95	**SB990**			1	Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 CAMA ADMIN. PERMIT REVIEW
643	05/10/95	**SB990**	2			Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 CAMA ADMIN. PERMIT REVIEW
644	05/10/95	**SCB999**	2			Y–46 N–1 P–0 NV–2 EXA–1 EXV–0 FORCE ACCOUNT WORK LIMIT
645	05/10/95	**SB1001**	2			Y–45 N–1 P–0 NV–3 EXA–1 EXV–0 BEACH ACCESS PROGRAM CLARIFICATION
646	05/10/95	**SB1015**	2			Y–44 N–3 P–0 NV–2 EXA–1 EXV–0 REDEFINE DEVELOPER
647	05/10/95	**SB1017**	2			Y–45 N–1 P–0 NV–3 EXA–1 EXV–0 CHANGE MEDICAL BOARD NAME
648	05/10/95	**SB1021**	2			Y–42 N–6 P–0 NV–1 EXA–1 EXV–0 HOME HEALTH AREA
649	05/10/95	**SB1041**	2			Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 STREAMFLOW/HYDROPOWER DAMS
650	05/10/95	**SB1042**			1	Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 ENERGY SAVINGS CONTRACTS
651	05/10/95	**SB1042**	2			Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 ENERGY SAVINGS CONTRACTS
652	05/10/95	**SB1046**	2			Y–47 N–1 P–0 NV–1 EXA–1 EXV–0 DELETIONS/ST. PARKS PRESERVE
653	05/10/95	**SB1046**	3			Y–46 N–1 P–0 NV–2 EXA–1 EXV–0 DELETIONS/ST. PARKS PRESERVE
654	05/10/95	**SCB1080**			1	Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 SITING OF SWINE OPERATIONS
655	05/10/95	**SCB1080**	2			Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 SITING OF SWINE OPERATIONS
656	05/10/95	**SB126**	3			Y–44 N–0 P–0 NV–4 EXA–2 EXV–0 AGING COMN./LONG-TERM CARE

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657	05/10/95	**SCB181**	2			Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 PUB. HOSP. TRUST INC. EXEMPT
658	05/10/95	**SB632**	2			Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 VITAL RECORDS CHANGES
659	05/10/95	**SB961**			2	Y–22 N–26 P–0 NV–1 EXA–1 EXV–0 NONPARTISAN JUDICIAL ELECT.
660	05/10/95	**SB961**	2			Y–26 N–22 P–0 NV–1 EXA–1 EXV–0 NONPARTISAN JUDICIAL ELECT.
661	05/11/95					Y–40 N–8 P–0 NV–0 EXA–2 EXV–0 TEST VOTE
662	05/11/95	**SB1084**	2			Y–41 N–2 P–0 NV–4 EXA–3 EXV–0 REPROCESSED OIL REGULATION
663	05/11/95	**SB1086**	2			Y–42 N–4 P–0 NV–1 EXA–3 EXV–0 BANK STOCK AS COLLATERAL
664	05/11/95	**SB320**			5	Y–43 N–1 P–0 NV–3 EXA–3 EXV–0 UNIFORM CUSTODIAL TRUST ACT
665	05/11/95	**SB320**	3			Y–41 N–2 P–0 NV–4 EXA–3 EXV–0 UNIFORM CUSTODIAL TRUST ACT
666	05/11/95	**SB558**	3			Y–41 N–2 P–0 NV–4 EXA–3 EXV–0 EVICTION/DRUG OFFENDERS
667	05/11/95	**SCB940**			4	Y–19 N–28 P–0 NV–0 EXA–3 EXV–0 CHARTER SCHOOL ACT OF 1995
668	05/11/95	**SCB940**	3	2		Y–43 N–4 P–0 NV–0 EXA–3 EXV–0 CHARTER SCHOOL ACT OF 1995
669	05/11/95	**SCB940**	3			Y–39 N–8 P–0 NV–0 EXA–3 EXV–0 CHARTER SCHOOL ACT OF 1995
670	05/11/95	**SCB971**			1	Y–39 N–4 P–0 NV–4 EXA–3 EXV–0 JUDICIAL APPT./VOTER RETAIN
671	05/11/95	**SCB242**	2			Y–40 N–1 P–0 NV–6 EXA–3 EXV–0 NONPROFIT CORPORATION ACT
672	05/11/95	**SCB359**	2			Y–44 N–0 P–0 NV–3 EXA–3 EXV–0 BLUE LIGHT BANDIT/FELONY
673	05/11/95	**SB487**	2			Y–44 N–1 P–0 NV–2 EXA–3 EXV–0 ADJUTANT GENERAL
674	05/11/95	**SCB513**	2			Y–24 N–20 P–0 NV–3 EXA–3 EXV–0 ANTIDEFICIENCY JUDGMENT
675	05/11/95	**SCB519**	2			Y–45 N–0 P–0 NV–2 EXA–3 EXV–0 PURCHASES BLIND/DISABLED
676	05/11/95	**SB525**	2			Y–44 N–1 P–0 NV–2 EXA–3 EXV–0 MEDICAL CARE SAVINGS PLAN
677	05/11/95	**SCB550**	2			Y–44 N–1 P–0 NV–2 EXA–3 EXV–0 SUPERIOR COURT ELECTORAL REFORM
678	05/11/95	**SCB559**			1	Y–40 N–3 P–0 NV–4 EXA–3 EXV–0 HOUSING AUTHORITY CHANGES
679	05/11/95	**SCB559**	2			Y–45 N–0 P–0 NV–2 EXA–3 EXV–0 HOUSING AUTHORITY CHANGES
680	05/11/95	**SCB634**			1	Y–42 N–3 P–0 NV–2 EXA–3 EXV–0 LOOP FUNDS REALLOCATED
681	05/11/95	**SCB634**			3	Y–9 N–37 P–0 NV–1 EXA–3 EXV–0 LOOP FUNDS REALLOCATED
682	05/11/95	**SCB634**	2			Y–25 N–21 P–0 NV–1 EXA–3 EXV–0 LOOP FUNDS REALLOCATED
683	05/11/95	**SB593**			3	Y–44 N–2 P–0 NV–0 EXA–3 EXV–1 FUNERAL CONTRACT INVEST.

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684	05/11/95	**SCB971**			2	Y–43 N–2 P–0 NV–2 EXA–3 EXV–0 JUDICIAL APPT./VOTER RETAIN
685	05/11/95	**SB404**	2			Y–45 N–0 P–0 NV–2 EXA–3 EXV–0 MODIFY CRITERIA FOR IMPACT
686	05/11/95	**SB707**	2			Y–40 N–0 P–0 NV–7 EXA–3 EXV–0 SHARE/AFTER-BORN/ADOPTED CHILDREN
687	05/11/95	**SB724**			1	Y–41 N–0 P–0 NV–6 EXA–3 EXV–0 GIFTS BY ATTORNEY-IN-FACT
688	05/11/95	**SB724**	2			Y–43 N–0 P–0 NV–4 EXA–3 EXV–0 GIFTS BY ATTORNEY-IN-FACT
689	05/11/95	**SB742**	2			Y–43 N–1 P–0 NV–3 EXA–3 EXV–0 THOMAS S. DEATH REVIEW/AB
690	05/11/95	**SCB513**			1	Y–42 N–1 P–0 NV–4 EXA–3 EXV–0 ANTIDEFICIENCY JUDGMENT
691	05/11/95	**SCB513**	3			Y–27 N–16 P–0 NV–4 EXA–3 EXV–0 ANTIDEFICIENCY JUDGMENT
692	05/11/95	**SB814**	2			Y–43 N–2 P–0 NV–2 EXA–3 EXV–0 MEMORANDUM FILED/MOTION
693	05/11/95	**SB821**			1	Y–46 N–0 P–0 NV–1 EXA–3 EXV–0 PRENEED FUNERAL DEFINITION
694	05/11/95	**SB821**	2			Y–41 N–5 P–0 NV–0 EXA–3 EXV–1 PRENEED FUNERAL DEFINITION
695	05/11/95	**SCB634**	3	2		Y–40 N–4 P–0 NV–4 EXA–2 EXV–0 LOOP FUNDS REALLOCATED
696	05/11/95	**SCB634**	3			Y–18 N–27 P–0 NV–3 EXA–2 EXV–0 LOOP FUNDS REALLOCATED
697	05/11/95	**SB844**	2			Y–41 N–0 P–0 NV–7 EXA–2 EXV–0 CALENDARING ARRAIGNMENTS/ SUPERIOR COURT
698	05/11/95	**SB880**	2			Y–39 N–3 P–0 NV–6 EXA–2 EXV–0 BEACH PROPERTY INSURANCE
699	05/11/95	**SB896**			1	Y–44 N–0 P–0 NV–4 EXA–2 EXV–0 ELECTRONIC SURVEILLANCE ACT
700	05/11/95	**SB896**	2			Y–41 N–2 P–0 NV–5 EXA–2 EXV–0 ELECTRONIC SURVEILLANCE ACT
701	05/11/95	**SB987**	2			Y–43 N–1 P–0 NV–4 EXA–2 EXV–0 CRIMINAL ENTERPRISES
702	05/11/95	**SB988**	2			Y–44 N–0 P–0 NV–4 EXA–2 EXV–0 RECYCLABLE HAULERS WEIGHT
703	05/11/95	**SB1003**	2			Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 DEBTOR PROTECTION FOR IRA'S
704	05/11/95	**SCB1063**			1	Y–44 N–1 P–0 NV–3 EXA–2 EXV–0 MH SUB. ABUSE WOMEN/CHILD
705	05/11/95	**SCB1063**	2			Y–42 N–3 P–0 NV–3 EXA–2 EXV–0 MH SUB. ABUSE WOMEN/CHILD
706	05/11/95	**SB491**	3			Y–36 N–8 P–0 NV–4 EXA–2 EXV–0 HIGHLANDS OCCUPANCY TAX
707	05/11/95	**SB536**	3			Y–38 N–7 P–0 NV–3 EXA–2 EXV–0 MOUNT AIRY OCCUPANCY TAX
708	05/11/95	**HCB381**	3			Y–43 N–1 P–0 NV–4 EXA–2 EXV–0 APEX SATELLITE ANNEXATIONS
709	05/11/95	**SCB798**	3			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 SANITARY DISTRICT SERVICES
710	05/11/95	**SB577**			2	Y–45 N–1 P–0 NV–2 EXA–2 EXV–0 CPA EDUCATION REQUIREMENTS

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711	05/11/95	**SB577**		0		Y–38 N–8 P–0 NV–2 EXA–2 EXV–0 CPA EDUCATION REQUIREMENTS
712	05/11/95	**SB577**	3			Y–22 N–23 P–0 NV–2 EXA–2 EXV–1 CPA EDUCATION REQUIREMENTS
713	05/11/95	**SB939**	3			Y–40 N–4 P–0 NV–4 EXA–2 EXV–0 REPORTABLE DISEASE CHANGES
714	05/11/95	**SB961**	3			Y–24 N–21 P–0 NV–3 EXA–2 EXV–0 NONPARTISAN JUDICIAL ELECT.
715	05/11/95	**SB1015**	3			Y–44 N–3 P–0 NV–1 EXA–2 EXV–0 REDEFINE DEVELOPER
716	05/11/95	**SB1015**			1	Y–39 N–8 P–0 NV–1 EXA–2 EXV–0 REDEFINE DEVELOPER
717	05/11/95	**SB1015**	3			Y–44 N–0 P–0 NV–4 EXA–2 EXV–0 REDEFINE DEVELOPER
718	05/11/95	**SCB345**			1	Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 INSURANCE OMNIBUS/AB
719	05/11/95	**SCB585**	2			Y–44 N–0 P–0 NV–4 EXA–2 EXV–0 EXECUTION OF JUDGEMENTS
720	05/11/95	**SCB630**	2			Y–43 N–1 P–0 NV–4 EXA–2 EXV–0 CUMBERLAND STORMWATER UTIL. CHARGES
721	05/11/95	**SCB775**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 WILLIE M. CHANGES/AB
722	05/11/95	**SB832**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 LIFE SENTENCE APPEALS
723	05/11/95	**SCB966**	2			Y–34 N–11 P–0 NV–3 EXA–2 EXV–0 INCREASE COSMETOLOGY FEES
724	05/11/95	**SB1054**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 ADVANCE RENTAL PAYMENTS
725	05/11/95	**SCB345**	2			Y–40 N–4 P–0 NV–4 EXA–2 EXV–0 INSURANCE OMNIBUS/AB
726	05/11/9S	**SCB426**			1	Y–18 N–29 P–0 NV–1 EXA–2 EXV–0 PUBLIC RECORDS LAW
727	05/11/95	**SCB426**	2			Y–46 N–1 P–0 NV–1 EXA–2 EXV–0 PUBLIC RECORDS LAW
728	05/11/95	**SJR213**			2	Y–29 N–15 P–0 NV–3 EXA–3 EXV–0 PARTICIPATE/CONF. OF STATES
729	05/11/95	**SJR213**	2			Y–22 N–20 P–0 NV–5 EXA–3 EXV–0 PARTICIPATE/CONF. OF STATES
730	05/11/95	**SJR213**	3			Y–23 N–20 P–0 NV–4 EXA–3 EXV–0 PARTICIPATE/CONF. OF STATES
731	05/11/95	**SCB345**	2			Y–41 N–4 P–0 NV–3 EXA–2 EXV–0 INSURANCE OMNIBUS/AB
732	05/11/95	**SB814**	2			Y–44 N–2 P–0 NV–1 EXA–3 EXV–0 MEMORANDUM FILED/MOTION
733	05/15/95					Y–43 N–7 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
734	05/15/95	**HCB213**	2			Y–31 N–11 P–0 NV–1 EXA–7 EXV–0 DELINQ. TRUCK PENALTIES/TAXES
735	05/15/95	**HCB750**	2			Y–35 N–8 P–0 NV–0 EXA–7 EXV–0 STATE GAMES VEHICLES
736	05/16/95					Y–28 N–22 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
737	05/16/95	**HCB204**	2			Y–41 N–0 P–0 NV–6 EXA–3 EXV–0 NURSING HOME ADMIN. BOARD

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738	05/17/95						Y–28 N–22 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
739	05/18/95						Y–27 N–23 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
740	05/18/95	**HB383**	2				Y–46 N–0 P–0 NV–1 EXA–3 EXV–0	DUCK BEAUTIFICATION DISTRICT
741	05/18/95	**SCB943**				1	Y–46 N–0 P–0 NV–1 EXA–3 EXV–0	MOTOR FUEL/USE TAX CHANGES
742	05/18/95	**SCB943**	2				Y–46 N–0 P–0 NV–1 EXA–3 EXV–0	MOTOR FUEL/USE TAX CHANGES
743	05/18/95	**HCB229**				1	Y–46 N–1 P–0 NV–0 EXA–3 EXV–0	'95 CONTINUATION BUDGET
744	05/18/95	**HCB229**				2	Y–35 N–8 P–0 NV–4 EXA–3 EXV–0	'95 CONTINUATION BUDGET
745	05/18/95	**HCB229**				3	Y–45 N–2 P–0 NV–0 EXA–3 EXV–0	'95 CONTINUATION BUDGET
746	05/18/95	**HCB229**				4	Y–45 N–2 P–0 NV–0 EXA–3 EXV–0	'95 CONTINUATION BUDGET
747	05/18/95	**HCB229**				4	Y–44 N–3 P–0 NV–0 EXA–3 EXV–0	'95 CONTINUATION BUDGET
748	05/18/95	**HCB229**	2				Y–29 N–18 P–0 NV–0 EXA–3 EXV–0	'95 CONTINUATION BUDGET
749	05/22/95						Y–26 N–24 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
750	05/22/95	**SCB56**			8		Y–5 N–35 P–0 NV–4 EXA–6 EXV–0	ANTIQUATED LAWS REPEALED
751	05/22/95	**HB383**	3				Y–42 N–0 P–0 NV–2 EXA–6 EXV–0	DUCK BEAUTIFICATION DISTRICT
752	05/22/95	**SCB943**	3				Y–42 N–0 P–0 NV–2 EXA–6 EXV–0	MOTOR FUEL/USE TAX CHANGES
753	05/23/95						Y–25 N–25 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
754	05/23/95	**HCB213**				1	Y–25 N–22 P–0 NV–1 EXA–2 EXV–0	DELINQ. TRUCK PENALTIES/TAXES
755	05/24/95						Y–26 N–24 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
756	05/24/95	**HB373**		C	7		Y–46 N–0 P–0 NV–1 EXA–3 EXV–0	SOUTHERN SHORES/RUNNING OF DEER
757	05/24/95	**HCB213**			2		Y–34 N–12 P–0 NV–1 EXA–3 EXV–0	DELINQ. TRUCK PENALTIES/TAXES
758	05/24/95	**HCB213**			6	1	Y–24 N–22 P–0 NV–1 EXA–3 EXV–0	DELINQ. TRUCK PENALTIES/TAXES
759	05/24/95	**HCB213**				1	Y–21 N–25 P–0 NV–1 EXA–3 EXV–0	DELINQ. TRUCK PENALTIES/TAXES
760	05/24/95	**HCB213**	2				Y–37 N–9 P–0 NV–1 EXA–3 EXV–0	DELINQ. TRUCK PENALTIES/TAXES
761	05/24/95	**SJR945**				1	Y–45 N–1 P–0 NV–1 EXA–3 EXV–0	COMM. COLL. BOARD ELECTION
762	05/24/95	**SJR945**	2				Y–45 N–0 P–0 NV–2 EXA–3 EXV–0	COMM. COLL. BOARD ELECTION
763	05/24/95	**SCB871**			8		Y–46 N–0 P–0 NV–1 EXA–3 EXV–0	RECALL/COURT OF APPEALS
764	05/25/95						Y–26 N–24 P–0 NV–0 EXA–0 EXV–0	TEST VOTE

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765	05/25/95			7		Y–42 N–0 P–0 NV–4 EXA–4 EXV–0 CONSENT/STATE BD. AGRIC.
766	05/25/95	**HCB520**	2			Y–43 N–0 P–0 NV–3 EXA–4 EXV–0 WAYNESVILLE CHARTER REVISED
767	05/25/95	**SCB174**	2			Y–35 N–10 P–0 NV–2 EXA–3 EXV–0 PESTICIDE AERIAL APPLICATION
768	05/25/95	**HCB47**	2			Y–44 N–0 P–0 NV–3 EXA–3 EXV–0 AMEND ELECTRICAL CONTRACTORS LAW/AB
769	05/25/95	**HB97**	2			Y–43 N–0 P–0 NV–4 EXA–3 EXV–0 SUNSET/REVERSE MORTGAGES
770	05/25/95	**HB235**	2			Y–45 N–0 P–0 NV–2 EXA–3 EXV–0 ADMINISTRATOR STANDARDS BD.
771	05/25/95	**HCB456**	2			Y–43 N–1 P–0 NV–3 EXA–3 EXV–0 PROGRESS BOARD/AB
772	05/25/95	**HCB606**	2			Y–44 N–0 P–0 NV–3 EXA–3 EXV–0 TRUSTEE'S/LIFE INS. TRUSTS
773	05/25/95	**HB749**	2			Y–44 N–0 P–0 NV–3 EXA–3 EXV–0 CANCELLATION/INS. CONTRACTS
774	05/25/95	**SCB295**		8		Y–43 N–2 P–0 NV–2 EXA–3 EXV–0 SMOKE DETECTORS/RENTAL PROP.
775	05/29/95					Y–27 N–23 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
776	05/29/95	**HCB520**	3			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 WAYNESVILLE CHARTER REVISED
777	05/29/95	**HB69**	2			Y–49 N–0 P–0 NV–0 EXA–1 EXV–0 BEECH MOUNTAIN ASSESSMENTS
778	05/29/95	**HCB133**	2			Y–49 N–0 P–0 NV–0 EXA–1 EXV–0 COLUMBUS CO. AIRPORT AUTH.
779	05/29/95	**HB464**	2			Y–49 N–0 P–0 NV–0 EXA–1 EXV–0 HOPE MILLS DEANNEXATION
780	05/29/95	**HCB680**	2			Y–49 N–0 P–0 NV–0 EXA–1 EXV–0 MULBERRY–FAIRPLAINS INC.
781	05/29/95	**SB878**	2			Y–47 N–1 P–0 NV–1 EXA–1 EXV–0 AIRPORTS/WATER & WASTEWATER
782	05/29/95	**HCB208**	2			Y–44 N–3 P–0 NV–2 EXA–1 EXV–0 COUNTY SCHOOL ACQUISITION
783	05/29/95	**HCB134**	2			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 DMV/DOT TECHNICAL CHANGES
784	05/29/95	**HB301**	2			Y–47 N–2 P–0 NV–0 EXA–1 EXV–0 FURNITURE CONTRACTS
785	05/29/95	**HB751**	2			Y–47 N–1 P–0 NV–1 EXA–1 EXV–0 REAL ESTATE INDEP. CONTRACTOR
786	05/29/95	**SCB174**			1	Y–17 N–31 P–0 NV–1 EXA–1 EXV–0 PESTICIDE AERIAL APPLICATION
787	05/29/95	**SCB174**	3			Y–40 N–7 P–0 NV–2 EXA–1 EXV–0 PESTICIDE AERIAL APPLICATION
788	05/29/95	**SB878**	2			Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 AIRPORTS/WATER & WASTEWATER
789	05/30/95					Y–28 N–22 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
790	05/30/95	**HB69**	3			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 BEECH MOUNTAIN ASSESSMENTS
791	05/30/95	**HCB133**	3			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 COLUMBUS CO. AIRPORT AUTH.

SEQ#	DATE	BILL	RDG	CR MOT	AMD	TOTALS	(LEGEND—SEE PAGE 350)
792	05/30/95	**HB464**	3			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	HOPE MILLS DEANNEXATION
793	05/30/95	**HCB680**	3			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	MULBERRY-FAIRPLAINS INC.
794	05/30/95	**SB542**		8		Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	CATAWBA SCHOOL BD. ELECTIONS
795	05/30/95	**SB878**	3			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	AIRPORTS/WATER & WASTEWATER
796	05/30/95	**HCB208**			1	Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	COUNTY SCHOOL ACQUISITION
797	05/30/95	**HB136**	2			Y–45 N–5 P–0 NV–0 EXA–0 EXV–0	DOT APPRAISAL LICENSE
798	05/30/95	**HB400**	2			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	CPA BOARD INJUNCTION/AB
799	05/30/95	**HCB409**			1	Y–48 N–1 P–0 NV–1 EXA–0 EXV–0	DRUG SCHEDULE ADDITIONS/AB
800	05/30/95	**HCB409**	2			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	DRUG SCHEDULE ADDITIONS/AB
801	05/30/95	**HB301**	3			Y–48 N–1 P–0 NV–1 EXA–0 EXV–0	FURNITURE CONTRACTS
802	05/31/95					Y–28 N–22 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
803	05/31/95	**SCB582**		8		Y–49 N–0 P–0 NV–1 EXA–0 EXV–0	LOCAL BEER/WINE POSSESSION
804	05/31/95	**HCB208**	2			Y–46 N–4 P–0 NV–0 EXA–0 EXV–0	COUNTY SCHOOL ACQUISITION
805	05/31/95	**HB82**	2			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	MORE ADMINISTER OATHS
806	05/31/95	**HB135**	2			Y–47 N–0 P–0 NV–3 EXA–0 EXV–0	LICENSE PHOTOS CONFIDENTIAL
807	05/31/95	**HB312**	2			Y–41 N–5 P–0 NV–4 EXA–0 EXV–0	CHIMNEY ROCK ABC ELECTIONS
808	05/31/95	**HCB420**	2			Y–46 N–1 P–0 NV–3 EXA–0 EXV–0	SHAREHOLDER DERIVATIVE ACTIONS/AB
809	05/31/95	**HCB758**	2			Y–44 N–2 P–0 NV–4 EXA–0 EXV–0	INTEREST RATE ADJUSTMENTS
810	05/31/95	**HCB837**	2			Y–45 N–1 P–0 NV–4 EXA–0 EXV–0	MV MFG'R WARRANTY AUDITS
811	05/31/95	**HCB958**	2			Y–40 N–7 P–0 NV–3 EXA–0 EXV–0	MENTAL HEALTH COVERAGE
812	05/31/95	**SCB309**	2	8		Y–45 N–0 P–0 NV–5 EXA–0 EXV–0	HOUSING ENFORCE. *LIS PENDENS*
813	05/31/95	**SCB312**		8		Y–46 N–0 P–0 NV–4 EXA–0 EXV–0	VENUE FOR INSANITY HEARINGS
814	05/31/95	**SCB405**		8		Y–46 N–0 P–0 NV–4 EXA–0 EXV–0	STATE PERSONNEL ACT/AB
815	05/31/95	**SCB413**		8		Y–46 N–0 P–0 NV–4 EXA–0 EXV–0	SAVINGS BANKS CONVERSION
816	05/31/95	**HB993**	2			Y–46 N–1 P–0 NV–3 EXA–0 EXV–0	REGULATORY FEE PROVISIONS
817	05/31/95	**HCB958**	2			Y–41 N–7 P–0 NV–2 EXA–0 EXV–0	MENTAL HEALTH COVERAGE
818	06/01/95					Y–27 N–23 P–0 NV–0 EXA–0 EXV–0	TEST VOTE

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819	06/01/95	**SCB563**	2			Y–45 N–1 P–0 NV–2 EXA–2 EXV–0 CORNELIUS ANNEXATION
820	06/01/95	**HCB615**	2			Y–45 N–1 P–0 NV–2 EXA–2 EXV–0 STANFIELD CORPORATE LIMITS
821	06/01/95	**HB643**	2			Y–45 N–1 P–0 NV–2 EXA–2 EXV–0 EDGECOMBE FIRE DISTRICTS
822	06/01/95	**SCB384**		8		Y–44 N–0 P–0 NV–4 EXA–2 EXV–0 FORSYTH PYROTECHNICS
823	06/01/95	**HCB208**	3			Y–44 N–2 P–0 NV–2 EXA–2 EXV–0 COUNTY SCHOOL ACQUISITION
824	06/01/95	**HB993**	3			Y–41 N–4 P–0 NV–3 EXA–2 EXV–0 REGULATORY FEE PROVISIONS
825	06/01/95	**HCB108**	2			Y–44 N–0 P–0 NV–4 EXA–2 EXV–0 RETIRED COURT CLERK PLATES
826	06/01/95	**SB388**			1	Y–42 N–2 P–0 NV–4 EXA–2 EXV–0 AMEND PESTICIDE LAW/AB
827	06/01/95	**SB388**	2			Y–42 N–3 P–0 NV–3 EXA–2 EXV–0 AMEND PESTICIDE LAW/AB
828	06/01/95	**SB388**			2	Y–5 N–40 P–0 NV–3 EXA–2 EXV–0 AMEND PESTICIDE LAW/AB
829	06/01/95	**SB388**	3			Y–43 N–3 P–0 NV–2 EXA–2 EXV–0 AMEND PESTICIDE LAW/AB
830	06/01/95	**HB423**	2			Y–41 N–5 P–0 NV–2 EXA–2 EXV–0 ST. PUBLICATIONS TRANSFER/AB
831	06/01/95	**HB446**	2			Y–43 N–1 P–0 NV–4 EXA–2 EXV–0 DEPT. OF TRANS. CONTRACTS/AB
832	06/01/95	**HCB461**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 BLOOD TRANSPORTER LIGHTS
833	06/01/95	**HB754**	2			Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 WATER/SEWER AUTHORITY BD.
834	06/01/95	**HCB788**	2			Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 INSURANCE GUARANTY ASSOC.
835	06/01/95	**HB799**	2			Y–44 N–1 P–0 NV–3 EXA–2 EXV–0 CREDIT ACCIDENT & HEALTH INS.
836	06/01/95	**SCB707**		8		Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 SHARE/AFTER-BORN/ADOPTED CHILDREN
837	06/01/95	**SCB309**	3	8		Y–44 N–2 P–0 NV–2 EXA–2 EXV–0 HOUSING ENFORCE. *LIS PENDENS*
838	06/01/95	**HCB208**	3			Y–43 N–3 P–0 NV–2 EXA–2 EXV–0 COUNTY SCHOOL ACQUISITION
839	06/05/95					Y–26 N–24 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
840	06/05/95	**SCB259**		8		Y–43 N–1 P–0 NV–3 EXA–3 EXV–0 CIVIL DAMAGES/CERTAIN CRIMES
841	06/05/95	**SCB563**	3			Y–45 N–0 P–0 NV–2 EXA–3 EXV–0 CORNELIUS ANNEXATION
842	06/05/95	**HCB615**	3			Y–46 N–0 P–0 NV–1 EXA–3 EXV–0 STANFIELD CORPORATE LIMITS
843	06/05/95	**HB643**	3			Y–46 N–0 P–0 NV–1 EXA–3 EXV–0 EDGECOMBE FIRE DISTRICTS
844	06/05/95	**HCB272**	2			Y–45 N–1 P–0 NV–1 EXA–3 EXV–0 INTERIM DIST. AWARDS/ED.
845	06/05/95	**HB459**	2			Y–45 N–0 P–0 NV–2 EXA–3 EXV–0 DEED OF TRUST CANCELLATION

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846	06/05/95	**HCB829**	2			Y–43 N–0 P–0 NV–4 EXA–3 EXV–0	CHIROPRACTOR DISCIPLINE
847	06/06/95					Y–44 N–6 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
848	06/06/95	**HCB603**	3			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0	ALAMANCE/EDGECOMBE CONSTR.
849	06/06/95	**SB908**	2			Y–45 N–4 P–0 NV–0 EXA–1 EXV–0	WATER/SEWER AUTH. POWERS
850	06/06/95	**HCB6**			1	Y–48 N–0 P–0 NV–1 EXA–1 EXV–0	SCHOOL FLEXIBILITY/ACCOUNT.
851	06/06/95	**HCB6**	2			Y–47 N–1 P–0 NV–1 EXA–1 EXV–0	SCHOOL FLEXIBILITY/ACCOUNT.
852	06/06/95	**HCB766**	2			Y–47 N–2 P–0 NV–0 EXA–1 EXV–0	TOBACCO SALES/MINORS
853	06/06/95	**HCB955**	2			Y–40 N–7 P–0 NV–0 EXA–3 EXV–0	CHARTER SCH. EDUC. OPPORTUNITY ACT
854	06/06/95	**HCB272**			1	Y–47 N–0 P–0 NV–0 EXA–3 EXV–0	INTERIM DIST. AWARDS/ED.
855	06/06/95	**HCB272**	3			Y–47 N–0 P–0 NV–0 EXA–3 EXV–0	INTERIM DIST. AWARDS/ED.
856	06/06/95	**SCB154**		8		Y–47 N–0 P–0 NV–0 EXA–3 EXV–0	REPORTABLE ACCIDENT AMOUNT
857	06/06/95	**SCB886**	2	8		Y–46 N–0 P–0 NV–1 EXA–3 EXV–0	HOSPITAL COOPERATION ACT
858	06/07/95					Y–26 N–24 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
859	06/07/95	**HCB208**			2	Y–48 N–1 P–0 NV–0 EXA–1 EXV–0	COUNTY SCHOOL ACQUISITION
860	06/07/95	**HCB208**	3			Y–36 N–12 P–0 NV–1 EXA–1 EXV–0	COUNTY SCHOOL ACQUISITION
861	06/07/95	**HCB593**	2			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0	BOGUE INCORPORATED
862	06/07/95	**SB908**	3			Y–45 N–1 P–0 NV–3 EXA–1 EXV–0	WATER/SEWER AUTH. POWERS
863	06/07/95	**HCB108**			1	Y–49 N–0 P–0 NV–0 EXA–1 EXV–0	RETIRED COURT CLERK PLATES
864	06/07/95	**HCB108**			2	Y–48 N–0 P–0 NV–1 EXA–1 EXV–0	RETIRED COURT CLERK PLATES
865	06/07/95	**SCB839**	2			Y–43 N–2 P–0 NV–4 EXA–1 EXV–0	GRADUATED DRIVERS LICENSES
866	06/07/95	**SCB1014**	2			Y–45 N–1 P–0 NV–3 EXA–1 EXV–0	NURSING/REST HOME EMP. CKS
867	06/07/95	**SCB1049**	2			Y–46 N–1 P–0 NV–2 EXA–1 EXV–0	INVESTMENT TAX CREDIT
868	06/07/95	**HCB269**	2			Y–47 N–1 P–0 NV–1 EXA–1 EXV–0	EQUITABLE DISTRIB./SANCTION
869	06/07/95	**HCB273**	2			Y–46 N–1 P–0 NV–2 EXA–1 EXV–0	ED. BEFORE OR AFTER DIVORCE
870	06/07/95	**HCB434**	2			Y–42 N–5 P–0 NV–2 EXA–1 EXV–0	ELUDE ARREST/AB
871	06/07/95	**HCB634**	2			Y–46 N–0 P–0 NV–3 EXA–1 EXV–0	PRISONER TRANSPORT
872	06/07/95	**HCB645**			1	Y–48 N–0 P–0 NV–1 EXA–1 EXV–0	ABC–LOCAL GOV'T REGULATION

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873	06/07/95	**HCB805**	2			Y–44 N–0 P–0 NV–5 EXA–1 EXV–0 MINIMUM WILDLIFE PENALTIES
874	06/07/95	**HCB812**	2			Y–44 N–0 P–0 NV–5 EXA–1 EXV–0 FIRE MISDEMEANORS
875	06/07/95	**HCB912**			1	Y–45 N–1 P–0 NV–3 EXA–1 EXV–0 WASTEWATER SYSTEMS LAW
876	06/07/95	**HCB912**	2			Y–41 N–6 P–0 NV–2 EXA–1 EXV–0 WASTEWATER SYSTEMS LAW
877	06/07/95	**SCB886**	3	8		Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 HOSPITAL COOPERATION ACT
878	06/07/95	**SCB643**		8		Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 SEWER SYSTEM MORATORIUM
879	06/08/95					Y–28 N–22 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
880	06/08/95			7		Y–34 N–0 P–0 NV–14 EXA–2 EXV–0 PENSIONS & RETIREMENT REPORT
881	06/08/95	**HCB593**	3			Y–39 N–0 P–0 NV–9 EXA–2 EXV–0 BOGUE INCORPORATED/TOWN OF CHADWICK
882	06/08/95	**HB558**	2			Y–44 N–0 P–0 NV–4 EXA–2 EXV–0 TOWN OF CATAWBA ANNEXATION
883	06/08/95	**HCB596**	2			Y–44 N–0 P–0 NV–4 EXA–2 EXV–0 NEW BERN CORPORATE LIMITS
884	06/08/95	**HCB692**			1	Y–44 N–0 P–0 NV–4 EXA–2 EXV–0 WAKE REZONING NOTICES
885	06/08/95	**HCB692**	2			Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 WAKE REZONING NOTICES
886	06/08/95	**SCB689**	2			Y–44 N–0 P–0 NV–4 EXA–2 EXV–0 OLYMPICS SPECIAL PLATES
887	06/08/95	**SB807**	2			Y–45 N–1 P–0 NV–2 EXA–2 EXV–0 REGIONAL VOCATIONAL AUTH.
888	06/08/95	**SB1055**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 RECYCLED NEWSPRINT TAX
889	06/08/95	**HCB108**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 RETIRED COURT CLERK PLATES
890	06/08/95	**SB170**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 ELIMINATE DOUBLE VEHICLE TAX
891	06/08/95	**SB249**	2			Y–46 N–1 P–0 NV–1 EXA–2 EXV–0 MENTAL HEALTH STUDY COMN.
892	06/08/95	**SCB291**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 NONPROFIT LICENSE TAX EXEMPTION
893	06/08/95	**SCB570**			1	Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 PIPELINE GENERATION EXEMPTION STUDY
894	06/08/95	**SCB570**	2			Y–48 N–0 P–0 NV–0 EXA–2 EXV–0 PIPELINE GENERATION EXEMPTION STUDY
895	06/08/95	**SB594**	2			Y–48 N–0 P–0 NV–0 EXA–2 EXV–0 WORKER'S COMP. MEDIATION
896	06/08/95	**SB728**	2			Y–45 N–1 P–0 NV–2 EXA–2 EXV–0 SUBSTANCE ABUSE CHANGES
897	06/08/95	**SB733**			1	Y–46 N–1 P–0 NV–1 EXA–2 EXV–0 OUT-OF-STATE RETIREMENT
898	06/08/95	**SB733**	2			Y–46 N–1 P–0 NV–1 EXA–2 EXV–0 OUT-OF-STATE RETIREMENT

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899	06/08/95	**SB815**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0	PRECINCT BOUNDARIES
900	06/08/95	**SB914**			1	Y–46 N–0 P–0 NV–2 EXA–2 EXV–0	SCHOOL/STATE EMP. SICK LEAVE
901	06/08/95	**SB914**	2			Y–45 N–1 P–0 NV–2 EXA–2 EXV–0	SCHOOL/STATE EMP. SICK LEAVE
902	06/08/95	**HCB333**	2			Y–44 N–2 P–0 NV–2 EXA–2 EXV–0	REGISTER/DEEDS RETIREMENT
903	06/08/95	**HCB366**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0	NATURAL GAS FRANCHISES
904	06/08/95	**HCB424**	2			Y–45 N–0 P–0 NV–3 EXA–2 EXV–0	ELEVATOR INSPECTION CHANGES
905	06/08/95	**HCB736**	2			Y–46 N–1 P–0 NV–1 EXA–2 EXV–0	FINANCIAL PRIVACY ACT
906	06/08/95	**HCB787**	2			Y–44 N–0 P–0 NV–4 EXA–2 EXV–0	PHARMACISTS REIMBURSEMENT
907	06/08/95	**HCB849**	2			Y–36 N–7 P–0 NV–5 EXA–2 EXV–0	DUPLIN SPORTS CLUB PERMITS
908	06/08/95	**HCB851**	2			Y–42 N–2 P–0 NV–4 EXA–2 EXV–0	BAIL BOND FORFEITURES
909	06/08/95	**SCB839**			1	Y–44 N–0 P–0 NV–4 EXA–2 EXV–0	GRADUATED DRIVERS LICENSES
910	06/08/95	**SCB839**	3			Y–43 N–1 P–0 NV–4 EXA–2 EXV–0	GRADUATED DRIVERS LICENSES
911	06/08/95	**HCB434**			2	Y–44 N–0 P–0 NV–4 EXA–2 EXV–0	ELUDE ARREST/AB
912	06/08/95	**HCB434**			3	Y–36 N–11 P–0 NV–2 EXA–1 EXV–0	ELUDE ARREST/AB
913	06/08/95	**HCB434**			4	Y–44 N–3 P–0 NV–2 EXA–1 EXV–0	ELUDE ARREST/AB
914	06/08/95	**SCB570**			1	Y–48 N–0 P–0 NV–0 EXA–2 EXV–0	PIPELINE GENERATION EXEMPTION STUDY
915	06/08/95	**SB914**	2			Y–46 N–1 P–0 NV–1 EXA–2 EXV–0	SCHOOL/STATE EMP. SICK LEAVE
916	06/12/95					Y–43 N–6 P–0 NV–0 EXA–1 EXV–0	TEST VOTE
917	06/12/95	**HCB434**			5	Y–38 N–9 P–0 NV–1 EXA–2 EXV–0	ELUDE ARREST/AB
918	06/12/95	**HCB434**		1		Y–18 N–29 P–0 NV–1 EXA–2 EXV–0	ELUDE ARREST/AB
919	06/12/95	**HCB834**		5		Y–24 N–23 P–0 NV–1 EXA–2 EXV–0	ABSTINENCE UNTIL MARRIAGE
920	06/12/95	**HCB434**			7	Y–43 N–3 P–0 NV–2 EXA–2 EXV–0	ELUDE ARREST/AB
921	06/12/95	**HCB434**		5		Y–27 N–21 P–0 NV–0 EXA–2 EXV–0	ELUDE ARREST/AB
922	06/12/95	**SCB85**		8		Y–46 N–1 P–0 NV–1 EXA–2 EXV–0	PET/CEMETERY TRUSTS
923	06/12/95	**SCB344**		8		Y–47 N–0 P–0 NV–1 EXA–2 EXV–0	NOTARY LAW AMENDMENTS/AB
924	06/12/95	**SB348**		8		Y–46 N–0 P–0 NV–2 EXA–2 EXV–0	NBPTS DEBT COLLECTION
925	06/12/95	**SB449**		8		Y–47 N–0 P–0 NV–1 EXA–2 EXV–0	HEALTH WORKER LIABILITY

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926	06/12/95	**SCB755**		8		Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 EMPLOYEE BENEFITS COMMITTEE
927	06/12/95	**HCB222**	2			Y–43 N–5 P–0 NV–0 EXA–2 EXV–0 UTILITIES COMMITTEE/COMN.
928	06/12/95	**HB558**	3			Y–47 N–1 P–0 NV–0 EXA–2 EXV–0 TOWN OF CATAWBA ANNEXATION
929	06/12/95	**HCB596**	3			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 NEW BERN CORPORATE LIMITS
930	06/12/95	**SCB689**	3			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 OLYMPICS SPECIAL PLATES
931	06/12/95	**SB807**	3			Y–44 N–2 P–0 NV–2 EXA–2 EXV–0 REGIONAL VOCATIONAL AUTH.
932	06/12/95	**SB1055**	3			Y–48 N–0 P–0 NV–0 EXA–2 EXV–0 RECYCLED NEWSPRINT TAX
933	06/12/95	**HCB108**			3	Y–48 N–0 P–0 NV–0 EXA–2 EXV–0 RETIRED COURT CLERK PLATES
934	06/12/95	**HCB108**	3			Y–47 N–1 P–0 NV–0 EXA–2 EXV–0 RETIRED COURT CLERK PLATES
935	06/12/95	**SCB1012**			1	Y–48 N–0 P–0 NV–0 EXA–2 EXV–0 UNDERGROUND STORAGE TANK
936	06/12/95	**SCB1012**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 UNDERGROUND STORAGE TANK
937	06/12/95	**HCB328**	2			Y–46 N–2 P–0 NV–0 EXA–2 EXV–0 FAILURE TO GIVE WAY
938	06/12/95	**HCB340**	2			Y–47 N–0 P–0 NV–0 EXA–2 EXV–1 DRUG TEST/UNEMP. BENEFITS
939	06/12/95	**HB357**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 CORRECTION DEPT. POWERS & DUTIES/AB
940	06/12/95	**HB515**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 MTR. VEH. DEALERS MARKET
941	06/12/95	**HB515**	3			Y–48 N–0 P–0 NV–0 EXA–2 EXV–0 MTR. VEH. DEALERS MARKET
942	06/12/95	**HCB566**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 AMEND POWERS OF FIDUCIARIES
943	06/12/95	**HCB739**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 HIGHER ED. CREDIT TRANSFER
944	06/12/95	**HB740**			1	Y–44 N–0 P–0 NV–4 EXA–2 EXV–0 ACADEMIC CREDIT TRANSFER
945	06/12/95	**HB740**	2			Y–46 N–1 P–0 NV–1 EXA–2 EXV–0 ACADEMIC CREDIT TRANSFER
946	06/12/95	**HCB767**	2			Y–43 N–3 P–0 NV–2 EXA–2 EXV–0 ELEM. ED. GUN SAFETY PROGRAM
947	06/12/95	**HB907**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 LIMITATIONS/SUITS BY STATE
948	06/12/95	**SCB81**		2		Y–39 N–8 P–0 NV–1 EXA–2 EXV–0 UCC AMENDMENTS
949	06/12/95	**SCB81**		8		Y–24 N–21 P–0 NV–3 EXA–2 EXV–0 UCC AMENDMENTS
950	06/12/95	**SCB84**		8		Y–1 N–46 P–0 NV–1 EXA–2 EXV–0 LIMIT OPTIONS IN GROSS
951	06/12/95	**SB501**		8		Y–1 N–46 P–0 NV–1 EXA–2 EXV–0 GRANDPARENT/CHILD SUPPORT
952	06/13/95					Y–28 N–22 P–0 NV–0 EXA–0 EXV–0 TEST VOTE

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953	06/13/95	**SCB399**			8		Y–43 N–0 P–0 NV–6 EXA–1 EXV–0	AMEND DEFINITION OF PODIATRY
954	06/13/95	**HCB337**	2				Y–44 N–1 P–0 NV–4 EXA–1 EXV–0	TRANSYLVANIA/FISHING LICENSE
955	06/13/95	**HCB127**				1	Y–41 N–6 P–0 NV–2 EXA–1 EXV–0	LANDOWNER PROTECTION ACT
956	06/13/95	**HCB127**	2				Y–47 N–0 P–0 NV–2 EXA–1 EXV–0	LANDOWNER PROTECTION ACT
957	06/13/95	**HCB270**				2	Y–25 N–22 P–0 NV–2 EXA–1 EXV–0	ALIMONY CHANGES
958	06/13/95	**HCB270**	2				Y–40 N–7 P–0 NV–2 EXA–1 EXV–0	ALIMONY CHANGES
959	06/13/95	**HCB730**	2				Y–42 N–3 P–0 NV–4 EXA–1 EXV–0	FRIVOLOUS MALPRACTICE
960	06/13/95	**SCB127**			8		Y–46 N–0 P–0 NV–3 EXA–1 EXV–0	DOM. ABUSE/DISABLED/ELDERLY
961	06/13/95	**SB240**			8		Y–45 N–0 P–0 NV–4 EXA–1 EXV–0	DOT DREDGE/LOCAL GOV'T.
962	06/13/95	**SCB775**			8		Y–47 N–0 P–0 NV–2 EXA–1 EXV–0	WILLIE M. CHANGES/AB
963	06/13/95	**HB459**		C	7		Y–45 N–1 P–0 NV–3 EXA–1 EXV–0	DEED OF TRUST CANCELLATION
964	06/13/95	**SB683**			7		Y–42 N–0 P–0 NV–7 EXA–1 EXV–0	JUDICIAL ELECTIONS
965	06/13/95	**SCB1003**			8		Y–45 N–0 P–0 NV–4 EXA–1 EXV–0	DEBTOR PROTECTION FOR IRA'S
966	06/13/95	**HCB270**				2	Y–26 N–21 P–0 NV–2 EXA–1 EXV–0	ALIMONY CHANGES
967	06/14/95						Y–27 N–23 P–0 NV–0 EXA–0 EXV	TEST VOTE
968	06/14/95	**HB341**	2				Y–47 N–0 P–0 NV–2 EXA–1 EXV–0	EMP. SECURITY WORK SEARCH
969	06/14/95	**HCB645**				1	Y–47 N–0 P–0 NV–1 EXA–2 EXV–0	ABC–LOCAL GOV'T REGULATION
970	06/14/95	**HCB265**	2				Y–44 N–4 P–0 NV–0 EXA–2 EXV–0	SERVICE OF PROCESS
971	06/14/95	**HCB708**	2				Y–44 N–1 P–0 NV–3 EXA–2 EXV–0	ELECTRONIC MONITOR COMPLIANCE DATA
972	06/14/95	**HB792**	2				Y–47 N–0 P–0 NV–1 EXA–2 EXV–0	GAS FRANCHISE USE/LOSE IT
973	06/14/95	**HCB798**	2				Y–48 N–0 P–0 NV–0 EXA–2 EXV–0	FOOD EQUIPMENT REPEAL
974	06/14/95	**HB846**	2				Y–44 N–3 P–0 NV–1 EXA–2 EXV–0	PRECINCTS NOT DIVIDED
975	06/14/95	**HCB645**				2	Y–47 N–0 P–0 NV–1 EXA–2 EXV–0	ABC–LOCAL GOV'T REGULATION
976	06/14/95	**HCB645**	2				Y–42 N–3 P–0 NV–3 EXA–2 EXV–0	ABC–LOCAL GOV'T REGULATION
977	06/14/95	**HCB270**				3	Y–18 N–30 P–0 NV–0 EXA–2 EXV–0	ALIMONY CHANGES
978	06/14/95	**HCB270**				4	Y–44 N–4 P–0 NV–0 EXA–2 EXV–0	ALIMONY CHANGES
979	06/14/95	**HCB270**	3				Y–43 N–5 P–0 NV–0 EXA–2 EXV–0	ALIMONY CHANGES

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980	06/14/95	**SCB82**			8	Y–42 N–0 P–0 NV–6 EXA–2 EXV–0 ESTATE AMOUNT CHANGES
981	06/14/95	**SCB349**			8	Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 HOUSING COORD./POLICY COUNCIL MEM.
982	06/14/95	**SCB505**			8	Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 LOCAL BOARDS OF HEALTH
983	06/14/95	**SCB519**			8	Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 PURCHASES/BLIND/DISABLED
984	06/14/95	**SCB679**			8	Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 WATER AND SEWER AMENDS.
985	06/14/95	**SB686**			8	Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 BANKING COMMISSION AUTH.
986	06/14/95	**SB818**			8	Y–45 N–1 P–0 NV–2 EXA–2 EXV–0 BIRTH DEFECTS/MONITOR
987	06/14/95	**SCB967**			8	Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 INMATE LABOR/COMM. COLLEGES
988	06/14/95	**HB341**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 EMP. SECURITY WORK SEARCH
989	06/15/95					Y–26 N–24 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
990	06/15/95	**HB676**	2			Y–45 N–2 P–0 NV–3 EXA–0 EXV–0 CURRITUCK BEAUTIFICATION DIS.
991	06/15/95	**HCB682**	2			Y–40 N–8 P–0 NV–2 EXA–0 EXV–0 ORANGE/CHATHAM OMNIBUS
992	06/15/95	**SCB708**			8	Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 CHARLOTTE BID LIMITS
993	06/15/95	**SB981**	2			Y–47 N–0 P–0 NV–3 EXA–0 EXV–0 NC FILM INDUSTRY INCENTIVE
994	06/15/95	**HB336**	2			Y–45 N–0 P–0 NV–4 EXA–1 EXV–0 ASSISTANCE DOG LAW/AB
995	06/15/95	**HB350**	2			Y–44 N–0 P–0 NV–5 EXA–1 EXV–0 INTERPRETERS DEAF COMPENSATION/AB
996	06/15/95	**HB378**	2			Y–39 N–2 P–0 NV–8 EXA–1 EXV–0 SPECIAL ASSIST. CONFLICT/AB
997	06/15/95	**HCB386**	2			Y–42 N–2 P–0 NV–5 EXA–1 EXV–0 MENTAL HLTH. PRETRIAL PROCEDURES/AB
998	06/15/95	**HCB756**	2			Y–45 N–0 P–0 NV–4 EXA–1 EXV–0 REST HOME CHANGES
999	06/15/95	**HB448**	2			Y–44 N–0 P–0 NV–5 EXA–1 EXV–0 HEALTH PLAN ELIGIBILTY
1000	06/15/95	**HB831**	2			Y–44 N–2 P–0 NV–4 EXA–0 EXV–0 MENTAL HEALTH AREA AUTH.
1001	06/15/95	**HCB265**	3			Y–46 N–1 P–0 NV–3 EXA–0 EXV–0 SERVICE OF PROCESS
1002	06/15/95	**HCB708**	3			Y–45 N–1 P–0 NV–4 EXA–0 EXV–0 ELECTRONIC MONITOR COMPLIANCE DATA
1003	06/15/95	**SB20**			8	Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 SCHOOL ACCOUNTABILITY
1004	06/15/95	**SCB999**			8	Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 FORCE ACCOUNT WORK LIMIT
1005	06/15/95	**HB676**	2			Y–47 N–2 P–0 NV–1 EXA–0 EXV–0 CURRITUCK BEAUTIFICATION DIS.

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1006	06/19/95						Y–26 N–24 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1007	06/19/95	**HB676**	3				Y–48 N–1 P–0 NV–1 EXA–0 EXV–0 CURRITUCK BEAUTIFICATION DIS.
1008	06/19/95	**HCB682**	3				Y–46 N–3 P–0 NV–1 EXA–0 EXV–0 ORANGE/CHATHAM OMNIBUS
1009	06/19/95	**SB981**	3				Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 NC FILM INDUSTRY INCENTIVE
1010	06/19/95	**HCB239**				1	Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 CURRITUCK SCHOOL ACQUIS.
1011	06/19/95	**HCB65**	2				Y–47 N–0 P–0 NV–3 EXA–0 EXV–0 U.S. FLAG/PLEDGE IN CLASSROOM
1012	06/19/95	**HCB227**	2				Y–47 N–0 P–0 NV–3 EXA–0 EXV–0 CODIFY INSTITUTE OF MEDICINE
1013	06/19/95	**HB231**	2				Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 CASE MANAGEMENT/COURTS
1014	06/19/95	**HB416**	2				Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 COMM. SERVICE IMMUNITY/AB
1015	06/19/95	**HCB491**	2				Y–43 N–4 P–0 NV–3 EXA–0 EXV–0 RECLASSIFY WATERSHEDS
1016	06/19/95	**HB378**	3				Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 SPECIAL ASSIST. CONFLICT/AB
1017	06/19/95	**HCB386**	3				Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 MENTAL HLTH. PRETRIAL PROCEDURES/AB
1018	06/19/95	**HB831**	3				Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 MENTAL HEALTH AREA AUTH.
1019	06/19/95	**SCB300**	2			8	Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 CDBG LOAN GUARANTEES/AB
1020	06/19/95	**SCB51**				8	Y–49 N–1 P–0 NV–0 EXA–0 EXV–0 REMOVE DANGEROUS STUDENTS
1021	06/19/95	**SCB244**				8	Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 ESTATE ADMINISTRATION
1022	06/19/95	**SCB1042**				8	Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 ENERGY SAVINGS CONTRACT
1023	06/19/95	**SB1086**				8	Y–48 N–2 P–0 NV–0 EXA–0 EXV–0 BANK STOCK AS COLLATERAL
1024	06/20/95						Y–25 N–25 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1025	06/20/95					0	Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 ELECTION/WOODY
1026	06/20/95	**HCB330**		C		7	Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 WINSTON-SALEM CODE PROCESS
1027	06/20/95	**HCB239**	2				Y–47 N–2 P–0 NV–1 EXA–0 EXV–0 CURRITUCK SCHOOL ACQUIS.
1028	06/20/95	**HCB770**	2				Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 LAW ENFORCEMENT SERVICE DISTRICT
1029	06/20/95	**HB428**	2				Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 REFERENDUM COMMITTEES/AB
1030	06/20/95	**HCB463**	2				Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 REPORT ON CASES PENDING
1031	06/20/95	**SCB300**	3			8	Y–48 N–2 P–0 NV–0 EXA–0 EXV–0 CDBG LOAN GUARANTEES/AB
1032	06/20/95	**SCB4**	2			8	Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 ALTERNATIVE PUNISHMENTS

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1033	06/20/95	**SCB682**			8		Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 STANDBY GUARDIANSHIP ACT
1034	06/20/95	**SCB724**			8		Y–1 N–47 P–0 NV–2 EXA–0 EXV–0 GIFTS BY ATTORNEY-IN-FACT
1035	06/20/95	**SCB1049**				1	Y–47 N–2 P–0 NV–1 EXA–0 EXV–0 INVESTMENT TAX CREDIT
1036	06/20/95	**SCB1049**	3				Y–47 N–1 P–0 NV–2 EXA–0 EXV–0 INVESTMENT TAX CREDIT
1037	06/20/95	**SCB563**				1	Y–48 N–1 P–0 NV–1 EXA–0 EXV–0 CORNELIUS ANNEXATION
1038	06/20/95	**SCB563**	3				Y–46 N–4 P–0 NV–0 EXA–0 EXV–0 CORNELIUS ANNEXATION
1039	06/21/95						Y–24 N–25 P–0 NV–0 EXA–1 EXV–0 TEST VOTE
1040	06/21/95	**HCB239**	3				Y–44 N–1 P–0 NV–4 EXA–1 EXV–0 CURRITUCK SCHOOL ACQUIS.
1041	06/21/95	**HCB770**	3				Y–45 N–0 P–0 NV–4 EXA–1 EXV–0 LAW ENFORCEMENT SERVICE DISTRICT
1042	06/21/95	**HCB994**	2				Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 APPROPRIATIONS FEE PROVISIONS
1043	06/21/95	**SCB396**	2				Y–43 N–6 P–0 NV–0 EXA–1 EXV–0 PHYSICIAN COOPERATION ACT
1044	06/21/95	**HCB473**	2				Y–48 N–1 P–0 NV–0 EXA–1 EXV–0 LTD. LIAB. CO./FOREIGN CORP.
1045	06/21/95	**HCB762**	2				Y–45 N–1 P–0 NV–4 EXA–0 EXV–0 VIDEOTAPED DEPOSITIONS
1046	06/21/95	**HB846**				1	Y–43 N–1 P–0 NV–6 EXA–0 EXV–0 PRECINCTS NOT DIVIDED
1047	06/21/95	**HB846**	3				Y–46 N–0 P–0 NV–4 EXA–0 EXV–0 PRECINCTS NOT DIVIDED
1048	06/21/95	**HCB923**				1	Y–43 N–4 P–0 NV–3 EXA–0 EXV–0 ZONING OF PAWNBROKERS
1049	06/21/95	**HCB923**	2				Y–31 N–13 P–0 NV–6 EXA–0 EXV–0 ZONING OF PAWNBROKERS
1050	06/21/95	**HCB923**			1		Y–36 N–11 P–0 NV–3 EXA–0 EXV–0 ZONING OF PAWNBROKERS
1051	06/21/95	**HCB496**	2				Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 ASSAULT ON SCHOOL BUS DRIVER
1052	06/21/95	**SCB414**			8		Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 INTERSTATE BRANCHING OPT-IN
1053	06/22/95						Y–27 N–23 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1054	06/22/95	**SCB724**		C	7		Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 GIFTS BY ATTORNEY-IN-FACT
1055	06/22/95	**HCB229**		C	7		Y–38 N–11 P–0 NV–0 EXA–1 EXV–0 '95 CONTINUATION BUDGET
1056	06/22/95	**SCB724**		C	7		Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 GIFTS BY ATTORNEY-IN-FACT
1057	06/22/95	**HCB994**				1	Y–45 N–0 P–0 NV–4 EXA–1 EXV–0 APPROPRIATIONS FEE PROVISIONS
1058	06/22/95	**HCB994**	3				Y–43 N–1 P–0 NV–5 EXA–1 EXV–0 APPROPRIATIONS FEE PROVISIONS
1059	06/22/95	**HCB353**				1	Y–45 N–2 P–0 NV–1 EXA–2 EXV–0 GOVERNOR'S TASK FORCE/DWI/AB

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1060	06/22/95	**HCB353**			2	Y–44 N–1 P–0 NV–3 EXA–2 EXV–0 GOVERNOR'S TASK FORCE/DWI/AB
1061	06/22/95	**HCB905**	2			Y–39 N–5 P–0 NV–4 EXA–2 EXV–0 WORTHLESS CHECKS
1062	06/22/95	**HCB229**		C 7		Y–37 N–12 P–0 NV–0 EXA–1 EXV–0 '95 CONTINUATION BUDGET
1063	06/22/95	**HCB994**			1	Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 APPROPRIATIONS FEE PROVISIONS
1064	06/22/95	**HCB994**	3			Y–43 N–1 P–0 NV–4 EXA–2 EXV–0 APPROPRIATIONS FEE PROVISIONS
1065	06/22/95	**HCB353**			2	Y–45 N–1 P–0 NV–2 EXA–2 EXV–0 GOVERNOR'S TASK FORCE/DWI/AB
1066	06/22/95	**HCB905**	2			Y–39 N–5 P–0 NV–3 EXA–3 EXV–0 WORTHLESS CHECKS
1067	06/26/95					Y–27 N–23 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1068	06/26/95	**HCB505**	2			Y–45 N–2 P–0 NV–2 EXA–1 EXV–0 GASTON CITY ASSESSMENTS
1069	06/26/95	**HCB63**	2			Y–46 N–2 P–0 NV–1 EXA–1 EXV–0 REFRIG. CONTRACT. REVISIONS/AB
1070	06/26/95	**HCB123**	2			Y–46 N–3 P–0 NV–0 EXA–1 EXV–0 REVISE DRUG TAX
1071	06/26/95	**HCB142**			1	Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 TAX LAW TECHNICAL CHANGES
1072	06/26/95	**HCB142**	2			Y–46 N–2 P–0 NV–2 EXA–0 EXV–0 TAX LAW TECHNICAL CHANGES
1073	06/26/95	**SB534**	2			Y–48 N–1 P–0 NV–1 EXA–0 EXV–0 BAIL BONDSMEN REGULATION/AB
1074	06/26/95	**SCB723**	2			Y–45 N–3 P–0 NV–2 EXA–0 EXV–0 TELEPHONE CONSUMER PROTECTION 2/AB
1075	06/26/95	**HCB85**			1	Y–41 N–7 P–0 NV–2 EXA–0 EXV–0 BARBER SCHOOL INSTRUCTORS/AB
1076	06/26/95	**HCB85**	2			Y–46 N–3 P–0 NV–1 EXA–0 EXV–0 BARBER SCHOOL INSTRUCTORS/AB
1077	06/26/95	**HB437**	2			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 STATE VETERANS HOME/AB
1078	06/26/95	**HB487**	2			Y–40 N–9 P–0 NV–1 EXA–0 EXV–0 PUBLIC SCHOOL UNIFORM PILOT
1079	06/26/95	**HJR987**	2			Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 MEM./STATE MILITIA
1080	06/26/95	**HCB848**	2			Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 MINORS DISCHARGE NOTICE
1081	06/26/95	**HB873**			2	Y–40 N–8 P–0 NV–2 EXA–0 EXV–0 LIMIT PESTICIDE APPLICATIONS
1082	06/26/95	**HB873**	2			Y–43 N–5 P–0 NV–2 EXA–0 EXV–0 LIMIT PESTICIDE APPLICATIONS
1083	06/26/95	**SCB723**			1	Y–46 N–1 P–0 NV–3 EXA–0 EXV–0 TELEPHONE CONSUMER PROTECTION 2/AB
1084	06/26/95	**SCB723**	3			Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 TELEPHONE CONSUMER PROTECTION 2/AB
1085	06/26/95	**HB970**	2			Y–47 N–0 P–0 NV–2 EXA–0 EXV–1 DRUG TESTING LABS

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1086	06/26/95	**SCB331**			8		Y–47 N–0 P–0 NV–3 EXA–0 EXV–0 TRUCK WEIGHT LIMITS
1087	06/27/95						Y–23 N–27 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1088	06/27/95	**HCB505**	3				Y–40 N–4 P–0 NV–5 EXA–1 EXV–0 GASTON CITY ASSESSMENTS
1089	06/27/95	**SB704**	2				Y–49 N–0 P–0 NV–0 EXA–1 EXV–0 WEST END FIRE DISTRICT
1090	06/27/95	**HCB537**	2				Y–47 N–1 P–0 NV–1 EXA–1 EXV–0 COMM. COLL./SCHOOL FACILITIES
1091	06/27/95	**HCB574**	2				Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 LINVILLE LAND HARBOR INC.
1092	06/27/95	**HCB576**	2				Y–48 N–1 P–0 NV–0 EXA–1 EXV–0 SUMMERFIELD INCORPORATED
1093	06/27/95	**HCB645**		C	7		Y–47 N–1 P–0 NV–1 EXA–1 EXV–0 ABC–LOCAL GOV'T REGULATION
1094	06/27/95	**SCB598**	2				Y–47 N–1 P–0 NV–1 EXA–1 EXV–0 SCOTLAND COUNTY FIRE DIST.
1095	06/27/95	**SCB339**	2		8		Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 STANLY AIRPORT AUTHORITY
1096	06/27/95	**HCB63**	3				Y–46 N–2 P–0 NV–1 EXA–1 EXV–0 REFRIG. CONTRACT. REVISIONS/AB
1097	06/27/95	**HCB123**				1	Y–12 N–37 P–0 NV–0 EXA–1 EXV–0 REVISE DRUG TAX
1098	06/27/95	**HCB123**	3				Y–48 N–1 P–0 NV–0 EXA–1 EXV–0 REVISE DRUG TAX
1099	06/27/95	**HCB142**	3				Y–49 N–0 P–0 NV–0 EXA–1 EXV–0 TAX LAW TECHNICAL CHANGES
1100	06/27/95	**HCB12**				1	Y–36 N–13 P–0 NV–0 EXA–1 EXV–0 TERM LIMITS/ELECTION REFORM
1101	06/27/95	**HCB12**			2	2	Y–26 N–23 P–0 NV–0 EXA–1 EXV–0 TERM LIMITS/ELECTION REFORM
1102	06/27/95	**HCB12**				2	Y–23 N–26 P–0 NV–0 EXA–1 EXV–0 TERM LIMITS/ELECTION REFORM
1103	06/27/95	**HCB12**	2				Y–24 N–25 P–0 NV–0 EXA–1 EXV–0 TERM LIMITS/ELECTION REFORM
1104	06/27/95	**HCB12**			0		Y–49 N–0 P–0 NV–0 EXA–1 EXV–0 TERM LIMITS/ELECTION REFORM
1105	06/27/95	**HCB12**	2				Y–26 N–23 P–0 NV–0 EXA–1 EXV–0 TERM LIMITS/ELECTION REFORM
1106	06/28/95						Y–26 N–24 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1107	06/28/95	**HCB280**				1	Y–45 N–5 P–0 NV–0 EXA–0 EXV–0 PYROTECHNICS/LIMIT SALES
1108	06/28/95	**HCB280**				2	Y–44 N–6 P–0 NV–0 EXA–0 EXV–0 PYROTECHNICS/LIMIT SALES
1109	06/28/95	**SB704**	3				Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 WEST END FIRE DISTRICT
1110	06/28/95	**HCB280**				2	Y–47 N–2 P–0 NV–1 EXA–0 EXV–0 PYROTECHNICS/LIMIT SALES
1111	06/28/95	**HCB280**	2				Y–43 N–6 P–0 NV–1 EXA–0 EXV–0 PYROTECHNICS/LIMIT SALES
1112	06/28/95	**HB552**	2				Y–42 N–8 P–0 NV–0 EXA–0 EXV–0 HOUSING STANDARDS LOOPHOLE
1113	06/28/95	**HB437**	3				Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 VETERANS HOME PROGRAM/AB

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1114	06/28/95	**HB873**	3			Y–48 N–2 P–0 NV–0 EXA–0 EXV–0	LIMIT PESTICIDE APPLICATIONS
1115	06/28/95	**HB970**	3			Y–49 N–0 P–0 NV–0 EXA–0 EXV–1	DRUG TESTING LABS
1116	06/28/95	**HB1058**	2			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	TRUCK TAX CHANGES
1117	06/28/95	**SCB339**	3	8		Y–48 N–0 P–0 NV–2 EXA–0 EXV–0	STANLY AIRPORT AUTHORITY
1118	06/28/95	**HCB537**	3			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0	COMM. COLL./SCHOOL FACILITIES
1119	06/28/95	**HCB574**	3			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0	LINVILLE LAND HARBOR INC.
1120	06/28/95	**SCB631**	2			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0	HIGHWAY WILDFLOWER FUNDS
1121	06/28/95	**HCB311**			1	Y–43 N–5 P–0 NV–2 EXA–0 EXV–0	COUNTERFEIT TRADEMARKS
1122	06/28/95	**HB768**	2			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0	USE TAX TRADE-IN ALLOWANCE
1123	06/28/95	**HCB774**	2			Y–45 N–3 P–0 NV–2 EXA–0 EXV–0	HEALTH CARE COLLABORATIVE PRACTICE
1124	06/29/95					Y–29 N–21 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
1125	06/29/95	**HCB228**	2			Y–46 N–0 P–0 NV–3 EXA–1 EXV–0	CONTINUE EXPIRING PROVISIONS
1126	06/29/95	**SCB1078**		8		Y–19 N–28 P–0 NV–2 EXA–1 EXV–0	CHARACTER EDUCATION REQ.
1127	06/29/95	**SCB598**	2			Y–41 N–5 P–0 NV–3 EXA–1 EXV–0	SCOTLAND COUNTY FIRE DIST.
1128	06/29/95	**HCB90**			2	Y–45 N–1 P–0 NV–2 EXA–1 EXV–1	CONCEALED HANDGUN PERMIT
1129	06/29/95	**SB116**	2			Y–43 N–2 P–0 NV–4 EXA–1 EXV–0	DEFEND STATE EMPLOYEES
1130	06/29/95	**SCB1021**		8		Y–44 N–2 P–0 NV–3 EXA–1 EXV–0	HOME HEALTH AREA CLARIFICATION
1131	06/29/95	**HCB90**			3	Y–9 N–37 P–1 NV–2 EXA–1 EXV–1	CONCEALED HANDGUN PERMIT
1132	06/29/95	**SCB931**			1	Y–47 N–0 P–0 NV–2 EXA–1 EXV–0	SELF-INSUREDS SAFEGUARDS
1133	06/29/95	**SCB931**	2			Y–46 N–0 P–0 NV–3 EXA–1 EXV–0	SELF-INSUREDS SAFEGUARDS
1134	06/29/95	**SB955**	2			Y–49 N–0 P–0 NV–0 EXA–1 EXV–0	WIRELESS TELEPHONE FRAUD
1135	06/29/95	**HCB832**	2			Y–48 N–1 P–0 NV–0 EXA–1 EXV–0	ENDANGERED SPECIES
1136	06/29/95	**HCB844**			1	Y–49 N–0 P–0 NV–0 EXA–1 EXV–0	AMEND VITAL RECORDS LAW
1137	06/29/95	**HCB844**			2	Y–49 N–0 P–0 NV–0 EXA–1 EXV–0	AMEND VITAL RECORDS LAW
1138	06/29/95	**HCB844**	2			Y–48 N–0 P–0 NV–1 EXA–1 EXV–0	AMEND VITAL RECORDS LAW
1139	06/29/95	**HCB280**	3			Y–22 N–27 P–0 NV–0 EXA–1 EXV–0	PYROTECHNICS/LIMIT SALES

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1140	06/29/95	**HCB774**			2	Y–27 N–20 P–1 NV–2 EXA–1 EXV–0 HEALTH CARE COLLABORATIVE PRACTICE
1141	06/29/95	**HCB774**	3			Y–39 N–8 P–0 NV–2 EXA–1 EXV–0 HEALTH CARE COLLABORATIVE PRACTICE
1142	06/29/95	**HCB90**			4	Y–12 N–34 P–0 NV–2 EXA–1 EXV–1 CONCEALED HANDGUN PERMIT
1143	06/29/95	**HCB90**			1	Y–37 N–9 P–1 NV–2 EXA–1 EXV–1 CONCEALED HANDGUN PERMIT
1144	06/29/95	**HCB90**	2			Y–38 N–9 P–1 NV–1 EXA–1 EXV–1 CONCEALED HANDGUN PERMIT
1145	06/29/95	**SB955**			2	Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 WIRELESS TELEPHONE FRAUD
1146	06/29/95	**SB955**	3			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 WIRELESS TELEPHONE FRAUD
1147	06/29/95	**HCB832**	3			Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 ENDANGERED SPECIES
1148	06/29/95	**SB116**	2			Y–45 N–2 P–0 NV–2 EXA–1 EXV–0 DEFEND STATE EMPLOYEES
1149	06/29/95	**SCB931**			1	Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 SELF-INSUREDS SAFEGUARDS
1150	06/29/95	**SCB931**	2			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 SELF-INSUREDS SAFEGUARDS
1151	06/30/95					Y–24 N–26 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1152	06/30/95	**HCB280**		1		Y–13 N–31 P–0 NV–3 EXA–3 EXV–0 PYROTECHNICS/LIMIT SALES
1153	06/30/95	**HCB280**	3	6		Y–36 N–11 P–0 NV–0 EXA–3 EXV–0 PYROTECHNICS/LIMIT SALES
1154	06/30/95	**HCB280**		5		Y–25 N–22 P–0 NV–0 EXA–3 EXV–0 PYROTECHNICS/LIMIT SALES
1155	06/30/95	**SCB858**		8		Y–46 N–0 P–0 NV–1 EXA–3 EXV–0 SCH. ADMINISTRATORS' CONTR.
1156	06/30/95	**SCB437**		8		Y–44 N–0 P–0 NV–3 EXA–3 EXV–0 GOV. CONSTRUCTION CONTRACTS
1157	06/30/95	**SB706**		8		Y–42 N–1 P–0 NV–4 EXA–3 EXV–0 CABARRUS COUNTY WORKFARE
1158	06/30/95	**SCB598**	3			Y–41 N–2 P–0 NV–4 EXA–3 EXV–0 SCOTLAND COUNTY FIRE DIST.
1159	06/30/95	**SB713**	2			Y–46 N–0 P–0 NV–1 EXA–3 EXV–0 DURHAM FACILITIES FEES
1160	06/30/95	**HCB667**	2			Y–40 N–S P–0 NV–2 EXA–3 EXV–0 WHEEL LOCKS
1161	06/30/95	**HCB90**	3			Y–35 N–9 P–0 NV–2 EXA–3 EXV–1 CONCEALED HANDGUN PERMIT
1162	06/30/95	**HCB761**	2			Y–43 N–2 P–0 NV–2 EXA–3 EXV–0 FOREIGN LEGAL CONSULTANTS
1163	06/30/95	**HCB556**	2			Y–45 N–0 P–0 NV–2 EXA–3 EXV–0 MUNICIPAL POWER AMENDMENTS
1164	06/30/95	**HB997**	2			Y–40 N–2 P–0 NV–5 EXA–3 EXV–0 FINANCE LAND FOR LANDFILLS
1165	06/30/95	**HB1018**	2			Y–41 N–3 P–0 NV–3 EXA–3 EXV–0 PRISONER MEDICAL CARE FEES
1166	06/30/95	**SCB927**	2			Y–44 N–2 P–0 NV–1 EXA–3 EXV–0 SMALL DEMOLITION LANDFILLS

SEQ#	DATE	BILL	RDG	CR	MOT	AMD	TOTALS	(LEGEND—SEE PAGE 350)
1167	06/30/95	**HCB353**	2				Y–38 N–5 P–1 NV–2 EXA–5 EXV–0	GOVERNOR'S TASK FORCE/DWI/AB
1168	06/30/95	**HB783**	2				Y–30 N–11 P–0 NV–5 EXA–4 EXV–0	PERMITS ON SCHOOL PROPERTY
1169	06/30/95	**HCB85**				2	Y–41 N–1 P–0 NV–3 EXA–5 EXV–0	BARBER SCHOOL INSTRUCTORS
1170	06/30/95	**HCB85**	3				Y–42 N–1 P–0 NV–2 EXA–5 EXV–0	BARBER SCHOOL INSTRUCTORS
1171	06/30/95	**SCB943**	2		8		Y–44 N–0 P–0 NV–1 EXA–5 EXV–0	MOTOR FUEL/USE TAX CHANGES
1172	06/30/95	**SB701**			8		Y–39 N–5 P–0 NV–1 EXA–5 EXV–0	ALGEBRA/LD CHILD
1173	06/30/95	**SCB927**				3	Y–43 N–0 P–0 NV–2 EXA–5 EXV–0	SMALL DEMOLITION LANDFILLS
1174	06/30/95	**SCB927**	3				Y–42 N–0 P–0 NV–3 EXA–5 EXV–0	SMALL DEMOLITION LANDFILLS
1175	06/30/95	**SCB56**		C	7		Y–40 N–1 P–0 NV–4 EXA–5 EXV–0	ANTIQUATED LAWS REPEALED
1176	06/30/95	**HCB90**	3				Y–36 N–9 P–0 NV–1 EXA–3 EXV–1	CONCEALED HANDGUN PERMIT
1177	06/30/95	**HB783**	2				Y–30 N–11 P–0 NV–4 EXA–5 EXV–0	PERMITS ON SCHOOL PROPERTY
1178	07/04/95						Y–26 N–24 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
1179	07/04/95	**SCB987**			8		Y–43 N–0 P–0 NV–4 EXA–3 EXV–0	CRIMINAL ENTERPRISES
1180	07/05/95						Y–27 N–23 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
1181	07/05/95	**SB713**	3				Y–46 N–1 P–0 NV–3 EXA–0 EXV–0	DURHAM FACILITIES FEES
1182	07/05/95	**HCB667**	3				Y–43 N–4 P–0 NV–3 EXA–0 EXV–0	WHEEL LOCKS
1183	07/05/95	**HCB556**				1	Y–47 N–0 P–0 NV–3 EXA–0 EXV–0	MUNICIPAL POWER AMENDMENTS
1184	07/05/95	**HCB556**	3				Y–47 N–0 P–0 NV–3 EXA–0 EXV–0	MUNICIPAL POWER AMENDMENTS
1185	07/05/95	**HCB761**	3				Y–42 N–5 P–0 NV–3 EXA–0 EXV–0	FOREIGN LEGAL CONSULTANTS
1186	07/05/95	**HB997**	3				Y–43 N–4 P–0 NV–3 EXA–0 EXV–0	FINANCE LAND FOR LANDFILLS
1187	07/05/95	**HB1018**	3				Y–45 N–2 P–0 NV–3 EXA–0 EXV–0	PRISONER MEDICAL CARE FEES
1188	07/05/95	**SCB121**				1	Y–46 N–1 P–0 NV–3 EXA–0 EXV–0	INHERITANCE TAX CHANGES
1189	07/05/95	**SCB35**				1	Y–41 N–8 P–0 NV–1 EXA–0 EXV–0	INDEPENDENCE PARTNERSHIP
1190	07/05/95	**SCB973**	2				Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	WORKERS' COMP. RATING LAW
1191	07/05/95	**HCB311**			7		Y–45 N–1 P–0 NV–4 EXA–0 EXV–0	COUNTERFEIT TRADEMARKS
1192	07/05/95	**SCB135**	2				Y–49 N–0 P–0 NV–1 EXA–0 EXV–0	CERTAIN REVERSIONS
1193	07/05/95	**HCB481**			4		Y–24 N–26 P–0 NV–0 EXA–0 EXV–0	PARENTAL CONSENT/ABORTION
1194	07/05/95	**HCB481**			5		Y–26 N–24 P–0 NV–0 EXA–0 EXV–0	PARENTAL CONSENT/ABORTION

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1195	07/06/95						Y–24 N–26 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
1196	07/06/95	**SCB737**		C	7		Y–48 N–1 P–0 NV–0 EXA–1 EXV–0	FUNDS TRANSFER/COUNTIES/AB
1197	07/06/95	**HCB447**	2				Y–48 N–0 P–0 NV–1 EXA–1 EXV–0	AMBULANCE PROVIDER LIC./AB
1198	07/06/95	**HB733**	2				Y–48 N–1 P–0 NV–0 EXA–1 EXV–0	JUVENILE DISCIPLINARY CONTROL
1199	07/06/95	**HCB895**				3	Y–47 N–1 P–0 NV–1 EXA–1 EXV–0	NOTICE OF MANDATES
1200	07/06/95	**HCB895**	2				Y–48 N–0 P–0 NV–1 EXA–1 EXV–0	NOTICE OF MANDATES
1201	07/06/95	**HCB353**	3		2		Y–25 N–23 P–0 NV–1 EXA–1 EXV–0	GOVERNOR'S TASK FORCE/DWI/AB
1202	07/06/95	**HCB353**	3				Y–33 N–14 P–0 NV–2 EXA–1 EXV–0	GOVERNOR'S TASK FORCE/DWI/AB
1203	07/06/95	**SCB35**			5		Y–26 N–23 P–0 NV–0 EXA–1 EXV–0	INDEPENDENCE PARTNERSHIP
1204	07/06/95	**SCB943**	3		8		Y–47 N–0 P–0 NV–2 EXA–1 EXV–0	MOTOR FUEL/USE TAX CHANGES
1205	07/06/95	**SCB26**			8		Y–39 N–1 P–0 NV–9 EXA–1 EXV–0	SCHOOL EXPULSION MODIFIED
1206	07/06/95	**SCB412**			8		Y–42 N–2 P–0 NV–5 EXA–1 EXV–0	USURY PREEMPTION/LATE CHRG
1207	07/06/95	**SCB426**			8		Y–42 N–3 P–0 NV–4 EXA–1 EXV–0	PUBLIC RECORDS LAW
1208	07/06/95	**SCB929**			8		Y–47 N–1 P–0 NV–1 EXA–1 EXV–0	CIVIL PROCEDURE RULES
1209	07/06/95	**SR1098**			7		Y–47 N–0 P–0 NV–2 EXA–1 EXV–0	SPENCER SHOPS 100TH ANNIV.
1210	07/06/95	**SCB121**	2				Y–47 N–0 P–0 NV–2 EXA–1 EXV–0	INHERITANCE TAX CHANGES
1211	07/06/95	**SCB971**			0		Y–25 N–22 P–0 NV–2 EXA–1 EXV–0	JUDICIAL APPT./VOTER RETAIN
1212	07/06/95	**SCB971**	2				Y–43 N–5 P–0 NV–1 EXA–1 EXV–0	JUDICIAL APPT./VOTER RETAIN
1213	07/06/95	**SCB971**	3				Y–42 N–6 P–0 NV–1 EXA–1 EXV–0	JUDICIAL APPT./VOTER RETAIN
1214	07/06/95	**HCB826**				1	Y–47 N–0 P–0 NV–2 EXA–1 EXV–0	LICENSING OF SOIL SCIENTISTS
1215	07/06/95	**HCB826**	2				Y–38 N–10 P–0 NV–1 EXA–1 EXV–0	LICENSING OF SOIL SCIENTISTS
1216	07/06/95	**SCB26**			8		Y–39 N–1 P–0 NV–8 EXA–2 EXV–0	SCHOOL EXPULSION MODIFIED
1217	07/06/95	**SCB412**			8		Y–42 N–2 P–0 NV–4 EXA–2 EXV–0	USURY PREEMPTION/LATE CHRG
1218	07/06/95	**SCB426**			8		Y–42 N–3 P–0 NV–3 EXA–2 EXV–0	PUBLIC RECORDS LAW
1219	07/06/95	**SCB929**			8		Y–47 N–1 P–0 NV–0 EXA–2 EXV–0	CIVIL PROCEDURE RULES
1220	07/06/95	**SR1098**			7		Y–47 N–0 P–0 NV–1 EXA–2 EXV–0	SPENCER SHOPS/100TH ANNIV.
1221	07/06/95	**SCB121**	2				Y–47 N–0 P–0 NV–1 EXA–2 EXV–0	INHERITANCE TAX CHANGES
1222	07/06/95	**SCB971**			0		Y–25 N–22 P–0 NV–1 EXA–2 EXV–0	JUDICIAL APPT./VOTER RETAIN

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1223	07/06/95	**SCB971**	2				Y–43 N–5 P–0 NV–0 EXA–2 EXV–0	JUDICIAL APPT./VOTER RETAIN
1224	07/06/95	**SCB971**	3				Y–42 N–6 P–0 NV–0 EXA–2 EXV–0	JUDICIAL APPT./VOTER RETAIN
1225	07/06/95	**HCB826**				1	Y–47 N–0 P–0 NV–1 EXA–2 EXV–0	LICENSING OF SOIL SCIENTISTS
1226	07/06/95	**HCB826**	2				Y–38 N–10 P–0 NV–0 EXA–2 EXV–0	LICENSING OF SOIL SCIENTISTS
1227	07/07/95						Y–27 N–23 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
1228	07/07/95	**SB976**	2				Y–42 N–7 P–0 NV–0 EXA–1 EXV–0	BOAT NUMBER FEES
1229	07/07/95	**HCB311**	2				Y–48 N–1 P–0 NV–0 EXA–1 EXV–0	COUNTERFEIT TRADEMARKS
1230	07/07/95	**HCB504**	2				Y–49 N–0 P–0 NV–0 EXA–1 EXV–0	LEASED VEHICLE TRADE-IN
1231	07/07/95	**HCB718**	2				Y–49 N–0 P–0 NV–0 EXA–1 EXV–0	PARKS AUTHORITY/TRUST FUNDS
1232	07/07/95	**HCB914**				1	Y–33 N–14 P–0 NV–2 EXA–1 EXV–0	COMM. COLL./ST. BD. MEMBERS
1233	07/07/95	**HCB914**				2	Y–22 N–27 P–0 NV–0 EXA–1 EXV–0	COMM. COLL./ST. BD. MEMBERS
1234	07/07/95	**HCB914**	2				Y–41 N–8 P–0 NV–0 EXA–1 EXV–0	COMM. COLL./ST. BD. MEMBERS
1235	07/07/95	**SCB200**				8	Y–7 N–39 P–0 NV–3 EXA–1 EXV–0	REPROCESSED OIL REGULATION
1236	07/07/95	**SCB242**				8	Y–47 N–0 P–0 NV–2 EXA–1 EXV–0	NONPROFIT CORPORATION ACT
1237	07/07/95	**SCB243**				8	Y–46 N–0 P–0 NV–3 EXA–1 EXV–0	DEATH SETTLEMENT APPROVAL
1238	07/07/95	**SCB119**		C		7	Y–47 N–0 P–0 NV–2 EXA–1 EXV–0	IMMUNITY/VOL. ENGINEERS/ ARCHITECTS
1239	07/07/95	**SB357**				8	Y–46 N–0 P–0 NV–3 EXA–1 EXV–0	DOT ASSIGNED VEHICLE
1240	07/07/95	**SB423**				8	Y–44 N–1 P–0 NV–4 EXA–1 EXV–0	VOC. REHAB. SERVICES ACT/AB
1241	07/07/95	**SCB559**				8	Y–46 N–0 P–0 NV–3 EXA–1 EXV–0	HOUSING AUTHORITY CHANGES
1242	07/07/95	**SCB653**				8	Y–47 N–0 P–0 NV–2 EXA–1 EXV–0	AMEND MEDICAL PRACTICE ACT
1243	07/07/95	**SB751**				8	Y–44 N–2 P–0 NV–3 EXA–1 EXV–0	COUNSELOR TREATMENT INS.
1244	07/07/95	**SCB865**				8	Y–0 N–47 P–0 NV–2 EXA–1 EXV–0	COMPLY WITH BRADY BILL
1245	07/07/95	**SCB896**				8	Y–46 N–1 P–0 NV–2 EXA–1 EXV–0	ELECTRONIC SURVEILLANCE ACT
1246	07/07/95	**SB899**				8	Y–46 N–0 P–0 NV–3 EXA–1 EXV–0	FINANCIAL INST. CONFIDENTIAL
1247	07/07/95	**SB990**				8	Y–46 N–0 P–0 NV–3 EXA–1 EXV–0	CAMA ADMINISTRATIVE PERMIT
1248	07/07/95	**SCB528**				3	Y–45 N–0 P–0 NV–4 EXA–1 EXV–0	MEDIATED SETTLEMENT CONF.
1249	07/07/95	**HCB694**				2	Y–44 N–2 P–0 NV–3 EXA–1 EXV–0	WAKE SERVICE OF PROCESS

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1250	07/07/95	**HCB694**	2			Y-39 N-7 P-0 NV-3 EXA-1 EXV-0 WAKE SERVICE OF PROCESS
1251	07/07/95	**SCB528**			4	Y-46 N-0 P-0 NV-3 EXA-1 EXV-0 MEDIATED SETTLEMENT CONF.
1252	07/07/95	**SCB528**	2			Y-46 N-0 P-0 NV-3 EXA-1 EXV-0 MEDIATED SETTLEMENT CONF.
1253	07/07/95	**SCB121**	3			Y-46 N-0 P-0 NV-3 EXA-1 EXV-0 INHERITANCE TAX CHANGES
1254	07/07/95	**HCB826**	3			Y-39 N-7 P-0 NV-3 EXA-1 EXV-0 LICENSING OF SOIL SCIENTISTS
1255	07/07/95	**SB1094**	2			Y-35 N-11 P-0 NV-3 EXA-1 EXV-0 NURSING HOME ADMIN. FEES
1256	07/07/95	**SCB558**		8		Y-45 N-1 P-0 NV-3 EXA-1 EXV-0 EVICTION/DRUG OFFENDERS
1257	07/10/95					Y-26 N-24 P-0 NV-0 EXA-0 EXV-0 TEST VOTE
1258	07/10/95	**SCB559**		8		Y-5 N-40 P-0 NV-3 EXA-2 EXV-0 HOUSING AUTHORITY CHANGES
1259	07/10/95	**HCB694**			3	Y-47 N-1 P-0 NV-0 EXA-2 EXV-0 WAKE SERVICE OF PROCESS
1260	07/10/95	**HCB694**	3			Y-42 N-5 P-0 NV-1 EXA-2 EXV-0 WAKE SERVICE OF PROCESS
1261	07/10/95	**HCB718**	3			Y-48 N-0 P-0 NV-0 EXA-2 EXV-0 PARKS AUTHORITY/TRUST FUNDS
1262	07/10/95	**HCB807**			1	Y-48 N-0 P-0 NV-0 EXA-2 EXV-0 CAREGIVER CRIMINAL CHECKS
1263	07/10/95	**HCB807**	2			Y-48 N-0 P-0 NV-0 EXA-2 EXV-0 CAREGIVER CRIMINAL CHECKS
1264	07/10/95	**SCB624**	2			Y-19 N-27 P-1 NV-2 EXA-2 EXV-0 STATE LOTTERY REFERENDUM
1265	07/10/95	**HCB914**			3	Y-17 N-26 P-0 NV-5 EXA-2 EXV-0 COMM. COLL./ST. BD. MEMBERS
1266	07/10/95	**SCB798**	2	8		Y-46 N-0 P-0 NV-2 EXA-2 EXV-0 SANITARY DISTRICT SERVICES
1267	07/10/95	**SCB237**		8		Y-3 N-44 P-0 NV-1 EXA-2 EXV-0 USE VALUE TAX CHANGES
1268	07/10/95	**SCB415**		8		Y-2 N-43 P-0 NV-3 EXA-2 EXV-0 BANKS/SAVINGS INST. MERGER
1269	07/10/95	**SCB430**		8		Y-45 N-2 P-0 NV-1 EXA-2 EXV-0 BANK INVESTMENT AUTHORITY
1270	07/10/95	**SCB525**		8		Y-46 N-1 P-0 NV-1 EXA-2 EXV-0 MEDICAL CARE SAVINGS PLAN
1271	07/10/95	**SCB1080**		8		Y-42 N-4 P-0 NV-2 EXA-2 EXV-0 SITING OF SWINE OPERATIONS
1272	07/10/95	**HCB914**			4	Y-34 N-13 P-0 NV-1 EXA-2 EXV-0 COMM. COLL./ST. BD. MEMBERS
1273	07/10/95	**HCB914**	3			Y-43 N-4 P-0 NV-1 EXA-2 EXV-0 COMM. COLL./ST. BD. MEMBERS
1274	07/11/95					Y-28 N-22 P-0 NV-0 EXA-0 EXV-0 TEST VOTE
1275	07/11/95	**HCB576**	3			Y-46 N-0 P-0 NV-2 EXA-2 EXV-0 SUMMERFIELD INCORPORATED
1276	07/11/95	**HCB807**	3			Y-47 N-0 P-0 NV-1 EXA-2 EXV-0 CAREGIVER CRIMINAL CHECKS
1277	07/11/95	**HCB1060**	2			Y-47 N-0 P-0 NV-1 EXA-2 EXV-0 CITY-COUNTY TAXATION/FINANCE

SEQ#	DATE	BILL	RDG	CR	MOT	AMD	TOTALS (LEGEND—SEE PAGE 350)
1278	07/11/95	**SCB798**	3		8		Y–48 N–0 P–0 NV–0 EXA–2 EXV–0 SANITARY DISTRICT SERVICES
1279	07/11/95	**SCB689**	2		8		Y–46 N–1 P–0 NV–1 EXA–2 EXV–0 OLYMPICS SPECIAL PLATES
1280	07/11/95	**SCB752**	2		8		Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 MOUNTAIN RIDGE SERVICE DIST.
1281	07/11/95	**SCB320**			8		Y–1 N–47 P–0 NV–0 EXA–2 EXV–0 UNIFORM CUSTODIAL TRUST ACT
1282	07/11/95	**SCB836**			8		Y–48 N–0 P–0 NV–0 EXA–2 EXV–0 CIVIL ACTION/PATERNITY
1283	07/11/95	**SCB6**		C	7		Y–45 N–2 P–0 NV–1 EXA–2 EXV–0 VICTIMS' RIGHTS AMEND.
1284	07/11/95	**SB776**				1	Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 ADAP TASK FORCE
1285	07/11/95	**SB776**	2				Y–47 N–1 P–0 NV–0 EXA–2 EXV–0 ADAP TASK FORCE
1286	07/11/95	**SCB6**		C	7		Y–46 N–2 P–0 NV–0 EXA–2 EXV–0 VICTIMS' RIGHTS AMEND.
1287	07/12/95						Y–26 N–24 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1288	07/12/95	**SCB663**			8		Y–48 N–1 P–0 NV–1 EXA–0 EXV–0 WILM./NEW HANOVER GIS
1289	07/12/95	**HCB1060**	3				Y–47 N–2 P–0 NV–1 EXA–0 EXV–0 CITY–COUNTY TAXATION/FINANCE
1290	07/12/95	**HCB899**	2				Y–48 N–2 P–0 NV–0 EXA–0 EXV–0 LANDLORD/TENANT CHANGES
1291	07/12/95	**SCB4**	3		8		Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 ALTERNATIVE PUNISHMENTS
1292	07/12/95	**SCB689**	3		8		Y–49 N–1 P–0 NV–0 EXA–0 EXV–0 OLYMPICS SPECIAL PLATES
1293	07/12/95	**SCB752**	3		8		Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 MOUNTAIN RIDGE SERVICE DIST.
1294	07/12/95	**SCB166**			8		Y–49 N–1 P–0 NV–0 EXA–0 EXV–0 REGULATE ATTORNEYS–AT–LAW/AB
1295	07/12/95	**SCB135**			8		Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 CERTAIN REVERSIONS
1296	07/12/95	**SCB649**			8		Y–2 N–47 P–0 NV–0 EXA–1 EXV–0 SWEET POTATO ASSESSMENTS
1297	07/13/95						Y–27 N–23 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1298	07/13/95	**SCB491**	2		8		Y–42 N–3 P–0 NV–4 EXA–1 EXV–0 STREAMFLOW/SMALL HYDRO.
1299	07/13/95	**HCB305**	2				Y–45 N–2 P–0 NV–2 EXA–1 EXV–0 EXTEND EXPIRING PROVISIONS
1300	07/13/95	**SCB229**	2		8		Y–48 N–1 P–0 NV–0 EXA–1 EXV–0 CONSERVATION LAND DONATIONS
1301	07/13/95	**SB584**	2				Y–45 N–3 P–0 NV–1 EXA–1 EXV–0 ASU SELF–LIQUIDATING PROJ./AB
1302	07/13/95	**HB390**	2				Y–42 N–4 P–0 NV–3 EXA–1 EXV–0 ASU SELF–LIQUIDATE PROJECT AUTH/AB
1303	07/13/95	**HCB230**				1	Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 '95 EXPANSION/CAP. APPROP.
1304	07/13/95	**HCB230**				2	Y–43 N–4 P–0 NV–2 EXA–1 EXV–0 '95 EXPANSION/CAP. APPROP.

SEQ#	DATE	BILL	RDG	CR	MOT	AMD	TOTALS (LEGEND—SEE PAGE 350)
1305	07/13/95	**HCB230**				4	Y–19 N–26 P–0 NV–4 EXA–1 EXV–0 '95 EXPANSION/CAP. APPROP.
1306	07/13/95	**HCB230**				5	Y–22 N–26 P–0 NV–1 EXA–1 EXV–0 '95 EXPANSION/CAP. APPROP.
1307	07/13/95	**HCB230**				7	Y–45 N–2 P–0 NV–2 EXA–1 EXV–0 '95 EXPANSION/CAP. APPROP.
1308	07/13/95	**HCB230**				9	Y–16 N–31 P–0 NV–2 EXA–1 EXV–0 '95 EXPANSION/CAP. APPROP.
1309	07/13/95	**HCB230**				11	Y–21 N–28 P–0 NV–0 EXA–1 EXV–0 '95 EXPANSION/CAP. APPROP.
1310	07/13/95	**HCB230**			2	12	Y–40 N–8 P–0 NV–1 EXA–1 EXV–0 '95 EXPANSION/CAP. APPROP.
1311	07/13/95	**HCB230**				12	Y–23 N–26 P–0 NV–0 EXA–1 EXV–0 '95 EXPANSION/CAP. APPROP.
1312	07/13/95	**HCB230**				13	Y–23 N–26 P–0 NV–0 EXA–1 EXV–0 '95 EXPANSION/CAP. APPROP.
1313	07/13/95	**HCB230**				14	Y–21 N–28 P–0 NV–0 EXA–1 EXV–0 '95 EXPANSION/CAP. APPROP.
1314	07/13/95	**HCB230**	2		2		Y–25 N–22 P–0 NV–2 EXA–1 EXV–0 '95 EXPANSION/CAP. APPROP.
1315	07/13/95	**HCB230**	2				Y–27 N–22 P–0 NV–0 EXA–1 EXV–0 '95 EXPANSION/CAP. APPROP.
1316	07/13/95	**HCB230**	3				Y–27 N–22 P–0 NV–0 EXA–1 EXV–0 '95 EXPANSION/CAP. APPROP.
1317	07/13/95	**SCB570**			8		Y–47 N–1 P–0 *NV–1* EXA–1 EXV–0 LEXINGTON UTILITIES COMN.
1318	07/13/95	**HCB718**		C	7		Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 PARKS AUTHORITY/TRUST FUNDS
1319	07/13/95	**SCB237**		C	7		Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 USE VALUE TAX CHANGES
1320	07/13/95	**HCB65**		C	7		Y–47 N–1 P–0 NV–1 EXA–1 EXV–0 U.S. FLAG/PLEDGE IN CLASSROOM
1321	07/13/95	**HCB718**		C	7		Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 PARKS AUTHORITY/TRUST FUNDS
1322	07/17/95						Y–25 N–25 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1323	07/17/95	**SCB258**			8		Y–39 N–0 P–0 NV–11EXA–0 EXV–0 RECORD KEEPING/CHILD SUPPORT
1324	07/17/95	**SCB404**			8		Y–41 N–0 P–0 NV–9 EXA–0 EXV–0 MODIFY CRITERIA FOR IMPACT
1325	07/17/95	**SCB792**			8		Y–40 N–0 P–0 NV–10EXA–0 EXV–0 BAIL BOND FORFEITURES
1326	07/17/95	**HCB6**		C	7		Y–45 N–0 P–0 NV–5 EXA–0 EXV–0 SCHOOL FLEX./ACCOUNTABILITY
1327	07/17/95	**HB390**	3				Y–43 N–3 P–0 NV–2 EXA–2 EXV–0 ASU SELF-LIQUIDATE PROJECT AUTH/AB
1328	07/17/95	**SCB572**				1	Y–45 N–1 P–0 NV–2 EXA–2 EXV–0 SMALL BUSINESS SURETY BONDS
1329	07/17/95	**SCB572**	2				Y–40 N–5 P–0 NV–3 EXA–2 EXV–0 SMALL BUSINESS SURETY BONDS
1330	07/17/95	**HB360**	2				Y–46 N–1 P–0 NV–1 EXA–2 EXV–0 RAILROAD DIESEL SALES TAX/AB
1331	07/17/95	**HCB481**				1	Y–16 N–32 P–0 NV–1 EXA–1 EXV–0 PARENTAL CONSENT/ABORTION

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1332	07/17/95	**HCB481**			2	Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 PARENTAL CONSENT/ABORTION
1333	07/17/95	**HCB481**	2			Y–42 N–6 P–0 NV–1 EXA–1 EXV–0 PARENTAL CONSENT/ABORTION
1334	07/17/95	**HJR535**	2			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 NC'S WORLD WAR II VETERAN
1335	07/17/95	**HCB637**	2			Y–44 N–2 P–0 NV–3 EXA–1 EXV–0 PRODUCTS LIABILITY
1336	07/17/95	**SCB229**	3	8		Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 CONSERVATION LAND DONATIONS
1337	07/17/95	**SCB159**	2	8		Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 ADOPTION REWRITE
1338	07/17/95	**SCB606**	2	8		Y–45 N–2 P–0 NV–2 EXA–1 EXV–0 CENTENNIAL AUTHORITY
1339	07/17/95	**SCB388**		8		Y–45 N–2 P–0 NV–2 EXA–1 EXV–0 AMEND PESTICIDE LAW/AB
1340	07/17/95	**SB668**		8		Y–48 N–1 P–0 NV–1 EXA–0 EXV–0 PRIVATE CONTRACTS
1341	07/17/95	**SCB864**		8		Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 DOMICILIARY CARE HOME RULES
1342	07/17/95	**HB360**	3			Y–47 N–1 P–0 NV–2 EXA–0 EXV–0 RAILROAD DIESEL SALES TAX/AB
1343	07/17/95	**HCB481**			3	Y–47 N–2 P–0 NV–1 EXA–0 EXV–0 PARENTAL CONSENT/ABORTION
1344	07/17/95	**HCB481**	3			Y–41 N–7 P–0 NV–2 EXA–0 EXV–0 PARENTAL CONSENT/ABORTION
1345	07/17/95	**SCB57**		8		Y–3 N–43 P–0 NV–4 EXA–0 EXV–0 ABC LRC & OTHER CHANGES
1346	07/18/95					Y–26 N–24 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1347	07/18/95	**SCB572**	3			Y–43 N–4 P–0 NV–2 EXA–1 EXV–0 SMALL BUSINESS SURETY BONDS
1348	07/18/95	**HCB3**			1	Y–45 N–3 P–0 NV–1 EXA–1 EXV–0 TAXPAYER PROTECTION ACT
1349	07/18/95	**HCB3**			2	Y–23 N–26 P–0 NV–0 EXA–1 EXV–0 TAXPAYER PROTECTION ACT
1350	07/18/95	**HCB3**			3	Y–47 N–2 P–0 NV–1 EXA–0 EXV–0 TAXPAYER PROTECTION ACT
1351	07/18/95	**HCB3**			4	Y–49 N–1 P–0 NV–0 EXA–0 EXV–0 TAXPAYER PROTECTION ACT
1352	07/18/95	**HCB3**			5	Y–45 N–4 P–0 NV–1 EXA–0 EXV–0 TAXPAYER PROTECTION ACT
1353	07/18/95	**HCB3**	2	2		Y–28 N–21 P–0 NV–1 EXA–0 EXV–0 TAXPAYER PROTECTION ACT
1354	07/18/95	**HCB3**	2			Y–32 N–18 P–0 NV–0 EXA–0 EXV–0 TAXPAYER PROTECTION ACT
1355	07/18/95	**SCB159**	3	8		Y–49 N–1 P–0 NV–0 EXA–0 EXV–0 ADOPTION REWRITE
1356	07/18/95	**SCB606**	3	8		Y–49 N–1 P–0 NV–0 EXA–0 EXV–0 CENTENNIAL AUTHORITY
1357	07/19/95					Y–26 N–24 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1358	07/19/95	**SB136**			1	Y–44 N–1 P–0 NV–4 EXA–1 EXV–0 1995 CAPITAL BUDGET
1359	07/19/95	**SB136**	2			Y–43 N–4 P–0 NV–2 EXA–1 EXV–0 1995 CAPITAL BUDGET

SEQ#	DATE	BILL	RDG	CR	MOT	AMD	TOTALS (LEGEND—SEE PAGE 350)
1360	07/19/95	**HCB3**	3				Y–27 N–20 P–1 NV–2 EXA–1 EXV–0 TAXPAYER PROTECTION ACT
1361	07/19/95	**SB710**	2				Y–47 N–2 P–0 NV–0 EXA–1 EXV–0 SELF-INS. GUARANTY FUND
1362	07/19/95	**HCB281**	2				Y–49 N–0 P–0 NV–0 EXA–1 EXV–0 RESIDENTIAL PROP. DISCLOSURE
1363	07/19/95	**HCB443**				1	Y–43 N–2 P–0 NV–4 EXA–1 EXV–0 REAL ESTATE APPRAISERS/AB
1364	07/19/95	**HCB443**	2				Y–43 N–4 P–0 NV–2 EXA–1 EXV–0 REAL ESTATE APPRAISERS/AB
1365	07/19/95	**SCB53**				1	Y–49 N–0 P–0 NV–0 EXA–1 EXV–0 SEX OFFENDER REGISTRATION
1366	07/19/95	**SCB53**	2				Y–48 N–1 P–0 NV–0 EXA–1 EXV–0 SEX OFFENDER REGISTRATION
1367	07/19/95	**SCB202**	2				Y–45 N–1 P–0 NV–3 EXA–1 EXV–0 POULTRY COMPOSTING CREDIT
1368	07/19/95	**HCB55**	2				Y–45 N–1 P–0 NV–3 EXA–1 EXV–0 AQUACULTURE SALES TAX
1369	07/19/95	**HCB55**				1	Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 AQUACULTURE SALES TAX
1370	07/19/95	**HCB55**	3				Y–47 N–2 P–0 NV–1 EXA–0 EXV–0 AQUACULTURE SALES TAX
1371	07/19/95	**HCB223**	2				Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 REDUCE SOFT DRINK TAX
1372	07/19/95	**HB759**	2				Y–48 N–1 P–0 NV–1 EXA–0 EXV–0 NONPROFIT HOME SALES TAX
1373	07/19/95	**HCB280**	3				Y–33 N–17 P–0 NV–0 EXA–0 EXV–0 PYROTECHNICS/LIMIT SALES
1374	07/19/95	**SCB24**			8		Y–13 N–37 P–0 NV–0 EXA–0 EXV–0 REFOCUS SCH. TESTING/BASICS
1375	07/19/95	**SCB180**			8		Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 UNEMPLOYMENT TAX CHANGES
1376	07/19/95	**SCB182**			8		Y–48 N–2 P–0 NV–0 EXA–0 EXV–0 REFUND FILING FEE/DEATH
1377	07/19/95	**SB407**			8		Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 TRANSPARK VEHICLE FEE
1378	07/19/95	**SCB57**			8		Y–28 N–17 P–0 NV–5 EXA–0 EXV–0 ABC LRC & OTHER CHANGES
1379	07/19/95	**HCB443**				1	Y–44 N–1 P–0 NV–4 EXA–1 EXV–0 REAL ESTATE APPRAISERS/AB
1380	07/20/95						Y–43 N–6 P–0 NV–0 EXA–1 EXV–0 TEST VOTE
1381	07/20/95	**SJR1102**	2				Y–40 N–0 P–0 NV–8 EXA–2 EXV–0 MEM./AMY JEAN JACKSON
1382	07/20/95	**HCB550**	2				Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 RAMSEUR/N. TOPSAIL
1383	07/20/95	**SB710**	3				Y–46 N–1 P–0 NV–1 EXA–2 EXV–0 SELF-INS. GUARANTY FUND
1384	07/20/95	**HCB281**	3				Y–44 N–3 P–0 NV–1 EXA–2 EXV–0 RESIDENTIAL PROP. DISCLOSURE
1385	07/20/95	**SCB415**		C	7		Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 BANKS/SAVINGS INST. MERGER
1386	07/20/95	**SCB320**		C	7		Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 UNIFORM CUSTODIAL TRUST ACT
1387	07/20/95	**HB873**		C	7		Y–45 N–2 P–0 NV–2 EXA–1 EXV–0 LIMIT PESTICIDE APPLICATIONS

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1388	07/20/95	**HCB120**	2			Y–44 N–2 P–0 NV–3 EXA–1 EXV–0 WINDOW TINTING REVISIONS
1389	07/20/95	**HCB555**			1	Y–46 N–1 P–0 NV–2 EXA–1 EXV–0 BOXING COMMISSION
1390	07/20/95	**HCB555**	2			Y–46 N–1 P–0 NV–2 EXA–1 EXV–0 BOXING COMMISSION
1391	07/20/95	**HCB836**	2			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 ENVIRONMENTAL PERMITTING
1392	07/20/95	**SCB865**		C 7		Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 COMPLY WITH BRADY BILL
1393	07/20/95	**SCB917**			2	Y–46 N–1 P–0 NV–2 EXA–1 EXV–0 AGRICULTURE COST SHARE
1394	07/20/95	**SCB917**	2			Y–45 N–2 P–0 NV–2 EXA–1 EXV–0 AGRICULTURE COST SHARE
1395	07/24/95					Y–27 N–23 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1396	07/24/95	**HB72**			1	Y–49 N–0 P–0 NV–0 EXA–1 EXV–0 JUVENILE INDECENT LIBERTIES
1397	07/24/95	**HB72**	2			Y–47 N–1 P–0 NV–1 EXA–1 EXV–0 JUVENILE INDECENT LIBERTIES
1398	07/24/95	**HB72**	3			Y–48 N–1 P–0 NV–0 EXA–1 EXV–0 JUVENILE INDECENT LIBERTIES
1399	07/24/95	**HCB545**		5		Y–25 N–24 P–0 NV–0 EXA–1 EXV–0 CARTWAY AMENDMENT
1400	07/24/95	**HB594**	2			Y–48 N–1 P–0 NV–0 EXA–1 EXV–0 INSUR. DISCRIM./BONES & JOINTS
1401	07/24/95	**HCB545**		6		Y–19 N–29 P–0 NV–1 EXA–1 EXV–0 CARTWAY AMENDMENT
1402	07/24/95	**HB759**	3			Y–48 N–1 P–0 NV–0 EXA–1 EXV–0 NONPROFIT HOME SALES TAX
1403	07/24/95	**SCB931**		8		Y–49 N–0 P–0 NV–0 EXA–1 EXV–0 SELF-INSUREDS SAFEGUARDS
1404	07/24/95	**HCB550**	3			Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 RAMSEUR/N. TOPSAIL
1405	07/24/95	**HCB120**	3			Y–45 N–1 P–0 NV–3 EXA–1 EXV–0 WINDOW TINTING REVISIONS
1406	07/24/95	**HCB443**			2	Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 REAL ESTATE APPRAISERS/AB
1407	07/24/95	**HCB555**	3			Y–44 N–1 P–0 NV–4 EXA–1 EXV–0 BOXING COMMISSION
1408	07/24/95	**HCB836**	3			Y–46 N–1 P–0 NV–2 EXA–1 EXV–0 ENVIRONMENTAL PERMITTING
1409	07/24/95	**HCB396**	2			Y–48 N–1 P–0 NV–0 EXA–1 EXV–0 EXPAND PORTS TAX CREDIT/AB
1410	07/24/95	**HCB458**	2			Y–45 N–2 P–0 NV–2 EXA–1 EXV–0 DWI–ASSESSMENT/AB
1411	07/24/95	**HCB952**	2			Y–41 N–7 P–0 NV–1 EXA–1 EXV–0 BRIDGE AUTHORITY
1412	07/24/95	**HCB443**			3	Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 REAL ESTATE APPRAISERS/AB
1413	07/24/95	**HCB443**	3			Y–46 N–2 P–0 NV–1 EXA–1 EXV–0 REAL ESTATE APPRAISERS/AB
1414	07/24/95	**SCB503**	2			Y–46 N–2 P–0 NV–1 EXA–1 EXV–0 SEASONAL/RESTRICTED CDL
1415	07/24/95	**SCB503**		4		Y–35 N–14 P–0 NV–0 EXA–1 EXV–0 SEASONAL/RESTRICTED CDL

SEQ#	DATE	BILL	RDG	CR MOT	AMD	TOTALS (LEGEND—SEE PAGE 350)
1416	07/24/95	**HCB897**			1	Y–47 N–2 P–0 NV–0 EXA–1 EXV–0 SPEAKER'S APPOINTMENTS
1417	07/24/95	**HCB897**			2	Y–47 N–1 P–0 NV–1 EXA–1 EXV–0 SPEAKER'S APPOINTMENTS
1418	07/24/95	**HCB897**	2			Y–47 N–1 P–0 NV–1 EXA–1 EXV–0 SPEAKER'S APPOINTMENTS
1419	07/24/95	**SCB58**		8		Y–10 N–37 P–0 NV–2 EXA–1 EXV–0 VOTER REG. CLEANUP
1420	07/24/95	**SCB503**	3			Y–45 N–0 P–0 NV–4 EXA–1 EXV–0 SEASONAL/RESTRICTED CDL
1421	07/25/95					Y–26 N–23 P–0 NV–0 EXA–1 EXV–0 TEST VOTE
1422	07/25/95	**HCB897**			3	Y–45 N–2 P–0 NV–2 EXA–1 EXV–0 SPEAKER'S APPOINTMENTS
1423	07/25/95	**HCB897**	3			Y–47 N–1 P–0 NV–1 EXA–1 EXV–0 SPEAKER'S APPOINTMENTS
1424	07/25/95	**HCB396**	3			Y–45 N–1 P–0 NV–3 EXA–1 EXV–0 EXPAND PORTS TAX CREDIT/AB
1425	07/25/95	**HCB458**			1	Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 DWI–ASSESSMENT/AB
1426	07/25/95	**HCB458**	3			Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 DWI–ASSESSMENT/AB
1427	07/25/95	**HCB952**	3			Y–43 N–4 P–0 NV–2 EXA–1 EXV–0 BRIDGE AUTHORITY
1428	07/25/95	**HCB913**	2			Y–44 N–4 P–0 NV–1 EXA–1 EXV–0 PRELITIGATION FARM MEDIATION
1429	07/25/95	**SCB1049**	2	8		Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 INVESTMENT TAX CREDIT
1430	07/25/95	**SCB754**		8		Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 MOTOR VEHICLE LIENS/DEALERS
1431	07/25/95	**HCB1001**			1	Y–47 N–0 P–0 NV–1 EXA–1 EXV–1 ANTIQUE AUTO PROPERTY TAX
1432	07/25/95	**HCB1001**			2	Y–44 N–3 P–0 NV–1 EXA–1 EXV–1 ANTIQUE AUTO PROPERTY TAX
1433	07/26/95					Y–26 N–23 P–0 NV–0 EXA–1 EXV–0 TEST VOTE
1434	07/26/95	**HCB738**	2			Y–45 N–3 P–0 NV–1 EXA–1 EXV–0 COMMUNITY COLLEGE FUND
1435	07/26/95	**HCB1001**	2			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 ANTIQUE AUTO PROPERTY TAX
1436	07/26/95	**SCB1049**	3	8		Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 INVESTMENT TAX CREDIT
1437	07/26/95	**SCB140**		8		Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 MOMENT OF SILENCE
1438	07/26/95	**SCB691**		8		Y–47 N–1 P–0 NV–1 EXA–1 EXV–0 PRESIDENT *PRO TEMPORE* APPTS.
1439	07/26/95	**SB742**		8		Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 THOMAS S. DEATH REVIEW/A.B
1440	07/26/95	**SCB828**		8		Y–48 N–0 P–0 *NV–1* EXA–1 EXV–0 SENATE PRESIDENT'S (LT. GOV.) APPOINTMENTS
1441	07/26/95	**SB901**		8		Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 *PRO TEMPORE* APPOINTMENTS
1442	07/27/95					Y–23 N–24 P–0 NV–0 EXA–3 EXV–0 TEST VOTE

SEQ#	DATE	BILL	RDG	CR	MOT	AMD	TOTALS	(LEGEND—SEE PAGE 350)
1443	07/27/95	**HCB353**		C	7		Y–46 N–1 P–0 NV–0 EXA–3 EXV–0	GOVERNOR'S TASK FORCE/DWI/AB
1444	07/27/95	**SCB528**			8		Y–43 N–1 P–0 NV–2 EXA–4 EXV–0	MEDIATED SETTLEMENT CONF.
1445	07/27/95	**SCB927**			8		Y–46 N–0 P–0 NV–0 EXA–4 EXV–0	SMALL DEMOLITION LANDFILLS
1446	07/27/95	**HCB738**	3				Y–42 N–2 P–1 NV–2 EXA–4 EXV–0	COMMUNITY COLLEGE FUND
1447	07/27/95	**HCB389**				1	Y–43 N–1 P–0 NV–2 EXA–4 EXV–0	PUBLIC SCHOOL BLDG. BOND ACT
1448	07/27/95	**HCB389**				4	Y–21 N–25 P–0 NV–0 EXA–4 EXV–0	PUBLIC SCHOOL BLDG. BOND ACT
1449	07/27/95	**HCB389**			2	5	Y–25 N–20 P–0 NV–1 EXA–4 EXV–0	PUBLIC SCHOOL BLDG. BOND ACT
1450	07/27/95	**HCB389**				5	Y–20 N–25 P–0 NV–1 EXA–4 EXV–0	PUBLIC SCHOOL BLDG. BOND ACT
1451	07/27/95	**HCB389**	2				Y–36 N–8 P–2 NV–2 EXA–4 EXV–0	PUBLIC SCHOOL BLDG. BOND ACT
1452	07/27/95	**HCB941**	2				Y–42 N–3 P–0 NV–1 EXA–4 EXV–0	TRANSPORT./WIRELESS/FEE
1453	07/27/95	**HCB545**				1	Y–39 N–1 P–0 NV–6 EXA–4 EXV–0	CARTWAY AMENDMENT
1454	07/27/95	**HCB545**				2	Y–45 N–1 P–0 NV–0 EXA–4 EXV–0	CARTWAY AMENDMENT
1455	07/27/95	**HCB545**				3	Y–35 N–10 P–0 NV–1 EXA–4 EXV–0	CARTWAY AMENDMENT
1456	07/27/95	**HCB545**				4	Y–21 N–24 P–0 NV–1 EXA–4 EXV–0	CARTWAY AMENDMENT
1457	07/27/95	**HCB545**	2				Y–38 N–7 P–0 NV–1 EXA–4 EXV–0	CARTWAY AMENDMENT
1458	07/27/95	**HCB729**				1	Y–45 N–1 P–0 NV–0 EXA–4 EXV–0	PUNITIVE DAMAGES/CIVIL ACTION
1459	07/27/95	**HCB729**				2	Y–44 N–2 P–0 NV–0 EXA–4 EXV–0	PUNITIVE DAMAGES/CIVIL ACTION
1460	07/27/95	**HCB729**	2				Y–32 N–13 P–1 NV–1 EXA–4 EXV–0	PUNITIVE DAMAGES/CIVIL ACTION
1461	07/27/95	**HB835**	2				Y–43 N–0 P–0 NV–3 EXA–4 EXV–0	STATE MEDICAL CARE COSTS
1462	07/27/95	**SCB693**	2		8		Y–43 N–0 P–0 NV–3 EXA–4 EXV–0	VEHICLE TAX
1463	07/27/95	**SCB908**	2		8		Y–44 N–0 P–0 NV–2 EXA–4 EXV–0	WATER AND SEWER AUTHORITY
1464	07/27/95	**SCB459**			8		Y–46 N–0 P–0 NV–0 EXA–4 EXV–0	BAIL BOND FORFEITURES
1465	07/27/95	**SCB874**			8		Y–42 N–1 P–0 NV–3 EXA–4 EXV–0	ROANOKE WATER/ENV. CORR.
1466	07/27/95	**SCB973**			8		Y–46 N–0 P–0 NV–0 EXA–4 EXV–0	WORKERS' COMP. RATING LAW
1467	07/27/95	**HCB300**	2				Y–42 N–2 P–0 NV–2 EXA–4 EXV–0	CONTRACT REVISIONS
1468	07/27/95	**HB835**	3				Y–46 N–0 P–0 NV–0 EXA–4 EXV–0	STATE MEDICAL CARE COSTS
1469	07/27/95	**HCB114**				1	Y–45 N–0 P–0 NV–1 EXA–4 EXV–0	ALAMANCE SCHOOL MERGER/ RICHMOND HOSP.

SEQ#	DATE	BILL	RDG	CR	MOT	AMD	TOTALS (LEGEND—SEE PAGE 350)
1470	07/27/95	**SCB974**			8		Y–8 N–35 P–0 NV–3 EXA–4 EXV–0 APPLICATOR/AGRICULTURE BY-PRODUCTS
1471	07/27/95	**SCB992**	2				Y–42 N–2 P–0 NV–2 EXA–4 EXV–0 MECKLENBURG DEPUTIES' RET.
1472	07/27/95	**HCB114**				2	Y–43 N–0 P–0 NV–3 EXA–4 EXV–0 ALAMANCE SCHOOL MERGER/ RICHMOND HOSP.
1473	07/27/95	**HCB114**	2				Y–43 N–0 P–0 NV–3 EXA–4 EXV–0 ALAMANCE SCHOOL MERGER/ RICHMOND HOSP
1474	07/27/95	**HCB1001**	3				Y–43 N–0 P–0 NV–3 EXA–4 EXV–0 ANTIQUE AUTO PROPERTY TAX
1475	07/27/95	**HCB306**	2				Y–43 N–1 P–0 NV–2 EXA–4 EXV–0 PROVISIONS EXTENDED
1476	07/27/95	**HCB545**				2	Y–46 N–0 P–0 NV–0 EXA–4 EXV–0 CARTWAY AMENDMENT
1477	07/27/95	**SCB874**			8		Y–43 N–0 P–0 NV–3 EXA–4 EXV–0 ROANOKE WATER/ENV. CORR.
1478	07/27/95	**HCB300**	2				Y–44 N–0 P–0 NV–2 EXA–4 EXV–0 CONTRACT REVISIONS
1479	07/27/95	**SCB974**			8		Y–3 N–40 P–0 NV–3 EXA–4 EXV–0 APPLICATOR/AGRICULTURE BY-PRODUCTS
1480	07/28/95						Y–26 N–24 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1481	07/28/95	**SCB559**		C	7		Y–45 N–1 P–0 NV–1 EXA–3 EXV–0 HOUSING AUTHORITY CHANGES
1482	07/28/95	**HCB306**	3				Y–47 N–0 P–0 NV–0 EXA–3 EXV–0 PROVISIONS EXTENDED
1483	07/28/95	**SCB693**	3		8		Y–47 N–0 P–0 NV–0 EXA–3 EXV–0 VEHICLE TAX
1484	07/28/95	**SCB908**	3		8		Y–42 N–0 P–0 NV–5 EXA–3 EXV–0 WATER AND SEWER AUTHORITY
1485	07/28/95	**SCB52**	2		8		Y–43 N–1 P–0 NV–3 EXA–3 EXV–0 STATE-OWNED SUBMERGED LANDS
1486	07/28/95	**SCB590**			8		Y–45 N–0 P–0 NV–2 EXA–3 EXV–0 1995 TECHNICAL CORRECTIONS
1487	07/28/95	**SJR1102**			8		Y–45 N–0 P–0 NV–2 EXA–3 EXV–0 MEM./AMY JEAN JACKSON
1488	07/28/95	**SCB24**		C	7		Y–45 N–0 P–0 NV–2 EXA–3 EXV–0 REFOCUS SCH. TESTING/BASICS
1489	07/28/95	**SCB200**		C	7		Y–45 N–0 P–0 NV–2 EXA–3 EXV–0 REPROCESSED OIL REGULATIONS
1490	07/28/95	**HCB389**				6	Y–21 N–25 P–0 NV–1 EXA–3 EXV–0 PUBLIC SCHOOL BLDG. BOND ACT
1491	07/28/95	**HCB389**				2	Y–22 N–25 P–0 NV–0 EXA–3 EXV–0 PUBLIC SCHOOL BLDG. BOND ACT
1492	07/28/95	**HCB389**	3				Y–36 N–10 P–1 NV–1 EXA–3 EXV–0 PUBLIC SCHOOL BLDG. BOND ACT
1493	07/28/95	**HCB941**				2	Y–43 N–2 P–0 NV–2 EXA–3 EXV–0 TRANSPORT./WIRELESS FEE
1494	07/28/95	**HCB941**	3				Y–42 N–3 P–0 NV–2 EXA–3 EXV–0 TRANSPORT./WIRELESS FEE

SEQ#	DATE	BILL	RDG	CR	MOT	AMD	TOTALS (LEGEND—SEE PAGE 350)
1495	07/28/95	**SCB649**		C	7		Y–43 N–3 P–0 NV–1 EXA–3 EXV–0 SWEET POTATO ASSESSMENTS
1496	07/28/95	**SCB351**	2				Y–45 N–0 P–0 NV–2 EXA–3 EXV–0 WAR VETERAN SPECIAL PLATE
1497	07/28/95	**SCB345**			8		Y–43 N–0 P–0 NV–4 EXA–3 EXV–0 INSURANCE OMNIBUS/AB
1498	07/28/95	**HCB230**		C	7		Y–39 N–2 P–2 NV–6 EXA–3 EXV–0 '95 EXPANSION/CAP. APPROP.
1499	07/28/95	**SCB84**		C	7		Y–39 N–1 P–0 NV–6 EXA–4 EXV–0 LIMIT OPTIONS IN GROSS
1500	07/28/95	**SB501**			8		Y–41 N–1 P–0 NV–4 EXA–4 EXV–0 GRANDPARENT/CHILD SUPPORT
1501	07/28/95	**HCB113**				3	Y–42 N–2 P–0 NV–2 EXA–4 EXV–0 CRIM. JUSTICE RECORDS ACCESS
1502	07/28/95	**HCB113**	2				Y–20 N–25 P–0 NV–1 EXA–4 EXV–0 CRIM. JUSTICE RECORDS ACCESS
1503	07/28/95	**SCB859**	2				Y–41 N–1 P–0 NV–3 EXA–5 EXV–0 THOMAS S. DIVERSION
1504	07/28/95	**HCB168**	2				Y–43 N–0 P–0 NV–2 EXA–5 EXV–0 CHILD SUPPORT CHANGES/AB
1505	07/28/95	**HCB834**	2				Y–38 N–4 P–1 NV–3 EXA–5 EXV–0 TEACH ABSTINENCE/MARRIA GE
1506	07/28/95	**HCB490**	2				Y–41 N–1 P–0 NV–3 EXA–5 EXV–0 CORPORATE FILINGS
1507	07/28/95	**SCB905**	2				Y–25 N–13 P–0 NV–7 EXA–5 EXV–0 STATE FIRE AND RESCUE COMN.
1508	07/28/95	**HCB637**		C	7		Y–39 N–3 P–0 NV–3 EXA–5 EXV–0 PRODUCTS LIABILITY
1509	07/28/95	**HCB230**		C	7		Y–43 N–2 P–2 NV–2 EXA–3 EXV–0 '95 EXPANSION/CAP. APPROP.
1510	07/28/95	**HCB706**				1	Y–24 N–9 P–0 NV–12EXA–5 EXV–0 VARIOUS OCCUPANCY TAX
1511	07/28/95	**HCB706**	2				Y–32 N–4 P–0 NV–9 EXA–5 EXV–0 VARIOUS OCCUPANCY TAX
1512	07/28/95	**HCB389**				6	Y–22 N–24 P–0 NV–1 EXA–3 EXV–0 PUBLIC SCHOOL BLDG. BOND ACT
1513	07/29/95						Y–29 N–21 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1514	07/29/95	**HCB706**	3				Y–36 N–3 P–0 NV–5 EXA–6 EXV–0 VARIOUS OCCUPANCY TAX
1515	07/29/95	**SCB351**	3				Y–41 N–0 P–0 NV–3 EXA–6 EXV–0 WAR VETERAN SPECIAL PLATE
1516	07/29/95	**SCB52**	3		8		Y–38 N–3 P–0 NV–3 EXA–6 EXV–0 STATE-OWNED SUBMERGED LANDS
1517	07/29/95	**SCB402**			8		Y–39 N–2 P–0 NV–3 EXA–6 EXV–0 FIREARM/DOMESTIC VIOLENCE
1518	07/29/95	**HB218**	2				Y–41 N–0 P–0 NV–3 EXA–6 EXV–0 EHNR FUNDS/STAFF
1519	07/29/95	**SCB783**			8		Y–40 N–1 P–0 NV–3 EXA–6 EXV–0 DRUG NUISANCE/FORFEITURE/AB
1520	07/29/95	**SCB502**			8		Y–41 N–0 P–0 NV–3 EXA–6 EXV–0 ASSISTED LIVING REQ./AB
1521	07/29/95	**HJR1069**	2				Y–40 N–0 P–0 NV–4 EXA–6 EXV–0 1995 ADJOURNMENT/*SINE DIE*

SEQ#	DATE	BILL	RDG	CR	MOT	AMD	TOTALS (LEGEND—SEE PAGE 350)
1522	07/29/95	**SCB974**		C	7		Y–39 N–0 P–0 NV–5 EXA–6 EXV–0 APPLICATOR/AGRICULTURE BY-PRODUCTS
1523	07/29/95	**SCB966**			8		Y–39 N–2 P–0 NV–3 EXA–6 EXV–0 INCREASE COSMETOLOGY FEES
1524	07/29/95	**HCB898**	2				Y–40 N–0 P–0 NV–4 EXA–6 EXV–0 1995 STUDIES
1525	07/29/95	**SCB202**			8		Y–38 N–0 P–0 NV–6 EXA–6 EXV–0 POULTRY COMPOSTING CREDIT
1526	07/29/95	**SCB53**			8		Y–37 N–1 P–0 NV–6 EXA–6 EXV–0 SEX OFFENDER REGISTRATION
1527	07/29/95	**SCB873**			8		Y–36 N–0 P–0 NV–8 EXA–6 EXV–0 REZONING NOTICE

SECOND REGULAR SESSION

1528	05/13/96						Y–26 N–24 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1529	05/14/96						Y–26 N–24 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1530	05/15/96						Y–30 N–20 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1531	05/16/96						Y–33 N–17 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1532	05/16/96						Y–32 N–18 P–0 NV–0 EXA–0 EXV–0 TEST VOTE NO. 2
1533	05/16/96	**SB1118**	2				Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 PEMBROKE STATE UNIV. NAME
1534	05/20/96						Y–33 N–17 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1535	05/21/96						Y–39 N–11 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1536	05/22/96						Y–25 N–25 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1537	05/22/96	**HB1074**	2				Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 SHELLFISH LICENSES/CORE BANKS
1538	05/23/96						Y–37 N–13 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1539	05/23/96	**SB1150**	2				Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 CONFORM RECEIVERSHIP LAWS
1540	05/23/96	**HB1088**	2				Y–48 N–0 P–0 NV–0 EXA–2 EXV–0 HOSPITAL REIMBURSEMENT
1541	05/23/96	**SCB1139**				2	Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 ABC'S PLAN
1542	05/23/96	**SCB1139**	2				Y–48 N–0 P–0 NV–0 EXA–2 EXV–0 ABC'S PLAN
1543	05/23/96	**SCB1139**				2	Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 ABC'S PLAN
1544	05/23/96	**SB1150**	2				Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 CONFORM RECEIVERSHIP LAWS
1545	05/27/96						Y–39 N–11 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1546	05/27/96	**SB1179**	2				Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 BOSNIA TROOPS TAX EXTENSION
1547	05/27/96	**SB1180**	2				Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 ACCOUNTING/911 SURCHARGES
1548	05/27/96	**SCB1139**				2	Y–26 N–22 P–0 NV–1 EXA–1 EXV–0 ABC'S PLAN

SEQ#	DATE	BILL	RDG	CR MOT	AMD	TOTALS	(LEGEND—SEE PAGE 350)
1549	05/27/96	**SCB1139**			4	Y–26 N–22 P–0 NV–1 EXA–1 EXV–0	ABC'S PLAN
1550	05/27/96	**SCB1139**			3	Y–47 N–1 P–0 NV–1 EXA–1 EXV–0	ABC'S PLAN
1551	05/27/96	**SCB1139**	3			Y–47 N–1 P–0 NV–1 EXA–1 EXV–0	ABC'S PLAN
1552	05/27/96	**SCB1139**			3	Y–48 N–0 P–0 NV–1 EXA–1 EXV–0	ABC'S PLAN
1553	05/28/96					Y–37 N–13 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
1554	05/28/96	**SB1151**	2			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	INSURANCE CO. INVESTMENTS
1555	05/28/96	**SB1161**	2			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	HIGHER ED. CREDIT TRANSFER
1556	05/28/96	**SCB1165**	2			Y–49 N–1 P–0 NV–0 EXA–0 EXV–0	COUNTY REGISTRATION BLOCK
1557	05/28/96	**SCB1165**	2			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	COUNTY REGISTRATION BLOCK
1558	05/29/96					Y–26 N–24 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
1559	05/29/96	**SB1116**	2			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0	RELIGIOUS HOLIDAY ABSENTEE VOTE
1560	05/29/96	**SB1123**	2			Y–42 N–7 P–0 NV–1 EXA–0 EXV–0	NVRA CORRECTIONS
1561	05/29/96	**SR1398**		7		Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	CONFIRMATION/RETIREMENT BD.
1562	05/30/96					Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
1563	05/30/96	**SJR1394**	2			Y–45 N–1 P–0 NV–3 EXA–1 EXV–0	ENABLING/SAME SEX MARRIAGE
1564	05/30/96	**SB1190**	2			Y–46 N–0 P–0 NV–3 EXA–1 EXV–0	WALLACE EPJ
1565	05/30/96	**SB1244**	2			Y–46 N–0 P–0 NV–3 EXA–1 EXV–0	WALLACE SATELLITE ANNEX.
1566	05/30/96	**SB1267**	2			Y–46 N–0 P–0 NV–3 EXA–1 EXV–0	NEW HANOVER/REFUSAL TO PERFORM
1567	05/30/96	**SCB1275**			1	Y–47 N–0 P–0 NV–2 EXA–1 EXV–0	QUALITY JOBS & BUSINESS EXP.
1568	05/30/96	**SCB1275**	2			Y–46 N–1 P–0 NV–2 EXA–1 EXV–0	QUALITY JOBS & BUSINESS EXP.
1569	05/30/96	**SB1117**	2			Y–44 N–0 P–0 NV–5 EXA–1 EXV–0	STDS. BD./PUBLIC SCH. ADMIN.
1570	05/30/96	**SCB843**		8		Y–46 N–0 P–0 NV–3 EXA–1 EXV–0	ANTITRUST REVISIONS
1571	05/30/96	**SJR1394**	2			Y–46 N–1 P–0 NV–2 EXA–1 EXV–0	ENABLING/SAME SEX MARRIAGE
1572	06/03/96					Y–40 N–10 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
1573	06/03/96	**SB1190**	3			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	WALLACE EPJ
1574	06/03/96	**SB1244**	3			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	WALLACE SATELLITE ANNEX.

SEQ#	DATE	BILL	RDG	CR MOT	AMD	TOTALS (LEGEND—SEE PAGE 350)
1575	06/03/96	**SB1267**	3			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 NEW HANOVER/REFUSAL TO PERFORM
1576	06/03/96	**SB1176**	2			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 FOXFIRE VILLAGE STREETS
1577	06/03/96	**SCB1173**			1	Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 SCHOOLS/SNOW DAYS OFFSET.
1578	06/03/96	**SCB1173**	2			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 SCHOOLS/SNOW DAYS OFFSET
1579	06/03/96	**SCB1275**		2		Y–39 N–9 P–0 NV–2 EXA–0 EXV–0 QUALITY JOBS & BUSINESS EXP.
1580	06/03/96	**SCB1275**			2	Y–11 N–37 P–0 NV–2 EXA–0 EXV–0 QUALITY JOBS & BUSINESS EXP.
1581	06/03/96	**SCB1275**		2		Y–41 N–9 P–0 NV–0 EXA–0 EXV–0 QUALITY JOBS & BUSINESS EXP.
1582	06/03/96	**SCB1275**			3	Y–25 N–25 P–0 NV–0 EXA–0 EXV–0 QUALITY JOBS & BUSINESS EXP.
1583	06/03/96	**SCB1275**	3			Y–49 N–1 P–0 NV–0 EXA–0 EXV–0 QUALITY JOBS & BUSINESS EXP.
1584	06/03/96	**SB1284**	2			Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 STATE PORTS TAX INCENTIVE
1585	06/03/96	**SCB1275**		2		Y–40 N–9 P–0 NV–1 EXA–0 EXV–0 QUALITY JOBS & BUSINESS EXP.
1586	06/03/96	**SCB1275**			2	Y–10 N–39 P–0 NV–1 EXA–0 QUALITY JOBS & BUSINESS EXP.
1587	06/03/96	**SCB1178**	2			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 REVENUE LAWS CHANGES
1588	06/04/96					Y–26 N–24 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1589	06/04/96	**SB1176**	3			Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 FOXFIRE VILLAGE STREETS
1590	06/04/96	**SCB1178**	3			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 REVENUE LAWS CHANGES
1591	06/04/96	**SB1286**	2			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 RESTRUCT. FORESTRY COUNCIL
1592	06/04/96	**SB1328**	2			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 ENV/HEALTH/NAT. RES. DEPT. RESTRUCTURE
1593	06/04/96	**HB1078**	2			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 FISHERIES MORATORIUM REPORT
1594	06/05/96					Y–43 N–7 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1595	06/05/96	**HB1158**	2			Y–29 N–21 P–0 NV–0 EXA–0 EXV–0 FRIDAY CANVASS
1596	06/05/96	**SJR1484**	2			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 ENABLING/HANES, JR.
1597	06/05/96	**SB1295**	2			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 SALARY CONTINUATION
1598	06/05/96	**SB1317**			1	Y–39 N–11 P–0 NV–0 EXA–0 EXV–0 UNDERGROUND STORAGE TANK
1599	06/05/96	**SB1317**			3	Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 UNDERGROUND STORAGE TANK
1600	06/05/96	**SB1317**			2	Y–47 N–3 P–0 NV–0 EXA–0 EXV–0 UNDERGROUND STORAGE TANK
1601	06/05/96	**SB1317**	2			Y–47 N–2 P–0 NV–1 EXA–0 EXV–0 UNDERGROUND STORAGE TANK

SEQ#	DATE	BILL	RDG	CR MOT	AMD	TOTALS (LEGEND—SEE PAGE 350)
1602	06/05/96	**HCB1089**	2			Y–48 N–1 P–0 NV–1 EXA–0 EXV–0 WORKERS' COMP PAUPER APPEAL
1603	06/05/96	**HB1090**	2			Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 WORKERS' COMP/ SUBCONTRACTORS
1604	06/05/96	**HB1173**	2			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 POLL WORKER SPLIT SHIFTS
1605	06/06/96					Y–39 N–11 P–0 NV–0 EXA–0 EXV–0 (TEST VOTE)
1606	06/06/96	**SB1374**	2			Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 CERRO GORDO PRIVATE SALE
1607	06/06/96	**SB1198**	2			Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 TAX AT RACK FINE TUNING
1608	06/06/96	**HB1190**	2			Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 INTERSTATE BANKING ACT
1609	06/06/96	**HB1189**	2			Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 FINANCIAL INST. HOLIDAY
1610	06/06/96	**SB1317**			5	Y–47 N–1 P–0 NV–2 EXA–0 EXV–0 UNDERGROUND STORAGE TANK
1611	06/06/96	**SB1317**	3			Y–46 N–2 P–0 NV–2 EXA–0 EXV–0 UNDERGROUND STORAGE TANK
1612	06/06/96	**HB1189**	2			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 FINANCIAL INST. HOLIDAY
1613	06/10/96					Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1614	06/10/96	**SJR1485**	2			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 MEM./SEN. JAMES G. HANES, JR.
1615	06/10/96	**SJR1394**		8		Y–46 N–2 P–0 NV–2 EXA–0 EXV–0 ENABLING/SAME SEX MARRIAGE
1616	06/10/96	**SB1374**	3			Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 CERRO GORDO PRIVATE SALE
1617	06/10/96	**SB1174**	2			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 ROCKINGHAM SCHOOLS
1618	06/10/96	**SCB1220**	2			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 LOCAL SCHOOL PAY DATES
1619	06/10/96	**SB1221**	2			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 WINSTON-SALEM PROPERTY
1620	06/10/96	**SB1222**	2			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 WINSTON-SALEM PROPERTY
1621	06/10/96	**SB1223**	2			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 WINSTON-SALEM DEPOSITS
1622	06/10/96	**SB1380**	2			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 DURHAM IMPROVEMENTS FEES
1623	06/10/96	**SCB1396**	2			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 NEW HANOVER NURSING HM. BD.
1624	06/10/96	**SB1412**	2			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 PENDER "NO WAKE" REPEAL
1625	06/10/96	**SB1174**	3			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 ROCKINGHAM SCHOOLS
1626	06/10/96	**SCB1220**	3			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 LOCAL SCHOOL PAY DATES
1627	06/10/96	**SB1221**	3			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 WINSTON-SALEM PROPERTY
1628	06/10/96	**SB1222**	3			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 WINSTON-SALEM PROPERTY

SEQ#	DATE	BILL	RDG	CR MOT	AMD	TOTALS (LEGEND—SEE PAGE 350)
1629	06/10/96	**SB1223**	3			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 WINSTON-SALEM DEPOSITS
1630	06/10/96	**SB1380**	3			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 DURHAM IMPROVEMENTS FEES
1631	06/10/96	**SCB1396**	3			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 NEW HANOVER NURSING HM. BD.
1632	06/10/96	**SB1412**	3			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 PENDER "NO WAKE" REPEAL
1633	06/10/96	**SB1379**	2			Y–30 N–19 P–0 NV–1 EXA–0 EXV–0 DURHAM CO. GUN PERMIT FEE
1634	06/10/96	**SB1379**	3			Y–30 N–20 P–0 NV–0 EXA–0 EXV–0 DURHAM CO. GUN PERMIT FEE
1635	06/10/96	**SB1198**	3			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 TAX AT RACK FINE TUNING
1636	06/10/96	**SCB678**	2			Y–49 N–1 P–0 NV–0 EXA–0 EXV–0 CONSUMER PROTECTION FUND/AB
1637	06/10/96	**SCB1108**	2			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 SOFT DRINK TAX ON MILK DRINKS
1638	06/10/96	**SB1181**	2			Y–49 N–1 P–0 NV–0 EXA–0 EXV–0 UTILITY POLE EXTENSION
1639	06/10/96	**SB1239**	2			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 SAMPLES/PRESCRIPTION DRUGS-2
1640	06/10/96	**SB1270**			1	Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 SPEED LIMITS
1641	06/10/96	**SB1386**	2			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 DURHAM ASSESSMENTS
1642	06/10/96	**SB1386**	3			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0 DURHAM ASSESSMENTS
1643	06/10/96	**SB1377**	2			Y–48 N–0 P–0 NV–2 EXA–0 EXV–0 POLK/HARMON FIELD SUPERV.
1644	06/11/96					Y–29 N–21 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1645	06/11/96	**SB1294**			1	Y–49 N–1 P–0 NV–0 EXA–0 EXV–0 DMV TRUCKING CHANGES
1646	06/11/96	**SB1294**	2			Y–49 N–1 P–0 NV–0 EXA–0 EXV–0 DMV TRUCKING CHANGES
1647	06/11/96	**HB1119**	2			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 LIMIT FRANCHISE ADD-BACK
1648	06/11/96	**SB1377**	3			Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 POLK/HARMON FIELD SUPERV.
1649	06/12/96					Y–28 N–22 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1650	06/12/96	**HCB1100**			1	Y–45 N–2 P–0 NV–1 EXA–2 EXV–0 1996 SCHOOL BONDS ACT
1651	06/12/96	**HCB1100**			2	Y–46 N–1 P–0 NV–1 EXA–2 EXV–0 1996 SCHOOL BONDS ACT
1652	06/12/96	**HCB1100**	2			Y–43 N–4 P–0 NV–1 EXA–2 EXV–0 1996 SCHOOL BONDS ACT
1653	06/12/96	**SB1337**		1		Y–26 N–20 P–0 NV–2 EXA–2 EXV–0 REDUCE INDIVID. INCOME TAX
1654	06/12/96	**SB1338**		1		Y–26 N–20 P–0 NV–2 EXA–2 EXV–0 REDUCE CORP. INCOME TAX
1655	06/13/96					Y–26 N–24 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1656	06/13/96	**HCB1108**		2	1	Y–27 N–22 P–0 NV–1 EXA–0 EXV–0 MODIFY BUDGET

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1657	06/13/96	**HCB1108**			1	Y–23 N–25 P–0 NV–2 EXA–0 EXV–0 MODIFY BUDGET
1658	06/13/96	**HCB1108**		2	2	Y–27 N–23 P–0 NV–0 EXA–0 EXV–0 MODIFY BUDGET
1659	06/13/96	**HCB1108**			2	Y–23 N–26 P–0 NV–1 EXA–0 EXV–0 MODIFY BUDGET
1660	06/13/96	**HCB1108**			3	Y–47 N–0 P–0 NV–3 EXA–0 EXV–0 MODIFY BUDGET
1661	06/13/96	**HCB1108**			4	Y–37 N–12 P–0 NV–1 EXA–0 EXV–0 MODIFY BUDGET
1662	06/13/96	**HCB1108**	2	2		Y–27 N–23 P–0 NV–0 EXA–0 EXV–0 MODIFY BUDGET
1663	06/13/96	**HCB1108**	2			Y–30 N–20 P–0 NV–0 EXA–0 EXV–0 MODIFY BUDGET
1664	06/13/96	**HCB1100**	3			Y–37 N–6 P–0 NV–6 EXA–1 EXV–0 1996 SCHOOL BONDS ACT
1665	06/13/96	**HCB540**			1	Y–14 N–32 P–0 NV–3 EXA–1 EXV–0 HIGHWAY BOND ACT OF 1996
1666	06/13/96	**HCB540**	2			Y–43 N–3 P–0 NV–3 EXA–1 EXV–0 HIGHWAY BOND ACT OF 1996
1667	06/13/96	**HCB1108**			1	Y–23 N–26 P–0 NV–1 EXA–0 EXV–0 MODIFY BUDGET
1668	06/13/96	**HCB1108**			2	Y–24 N–26 P–0 NV–0 EXA–0 EXV–0 MODIFY BUDGET
1669	06/13/96	**HCB1100**	3			Y–39 N–5 P–0 NV–5 EXA–1 EXV–0 1996 SCHOOL BONDS ACT
1670	06/17/96					Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1671	06/17/96	**SJR1491**	2			Y–44 N–0 P–0 NV–6 EXA–0 EXV–0 ENAB/WEBSTER
1672	06/17/96	**SJR1489**	2			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 MEM/NANCY WINBON CHASE
1673	06/17/96	**SJR1492**	2			Y–44 N–0 P–0 NV–5 EXA–1 EXV–0 ENAB/CREECY
1674	06/17/96	**HCB540**			2	Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 HIGHWAY BOND ACT OF 1996
1675	06/17/96	**HCB540**	3			Y–46 N–1 P–0 NV–2 EXA–1 EXV–0 HIGHWAY BOND ACT OF 1996
1676	06/17/96	**SB1411**	2			Y–44 N–2 P–0 NV–3 EXA–1 EXV–0 UNIVERSITY SELF-LIQUIDATING
1677	06/17/96	**SJR1493**	2			Y–44 N–3 P–0 NV–2 EXA–1 EXV–0 ENABLING/KURE BEACH BILL
1678	06/17/96	**SJR1491**	2			Y–45 N–0 P–0 NV–4 EXA–1 EXV–0 ENAB/WEBSTER
1679	06/18/96					Y–25 N–25 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1680	06/18/96	**SCB1182**	2			Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 AGENCY PRINTING
1681	06/18/96	**HCB1339**	2			Y–49 N–0 P–0 NV–0 EXA–1 EXV–0 NITROGEN REDUCTION GOAL
1682	06/18/96	**HCB910**			1	Y–32 N–15 P–0 NV–2 EXA–1 EXV–0 CHILD BICYCLE SAFETY ACT
1683	06/18/96	**HCB910**	2			Y–35 N–14 P–0 NV–0 EXA–1 EXV–0 CHILD BICYCLE SAFETY ACT
1684	06/18/96	**HCB910**	3			Y–38 N–5 P–0 NV–6 EXA–1 EXV–0 CHILD BICYCLE SAFETY ACT

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1685	06/18/96	**SB1270**			2	Y–46 N–2 P–0 NV–1 EXA–1 EXV–0 SPEED LIMITS
1686	06/18/96	**SB1270**			3	Y–14 N–35 P–0 NV–0 EXA–1 EXV–0 SPEED LIMITS
1687	06/18/96	**SB1270**	3			Y–34 N–14 P–0 NV–1 EXA–1 EXV–0 SPEED LIMITS
1688	06/18/96	**HCB361**			3	Y–38 N–11 P–0 NV–0 EXA–1 EXV–0 CDBG LOAN GUARANTEES/AB
1689	06/18/96	**HCB361**	2			Y–41 N–8 P–0 NV–0 EXA–1 EXV–0 CDBG LOAN GUARANTEES/AB
1690	06/18/96	**SCB1217**		0		Y–35 N–13 P–0 NV–1 EXA–1 EXV–0 ANIMAL WASTE
1691	06/18/96	**SCB1217**			2	Y–22 N–27 P–0 NV–0 EXA–1 EXV–0 ANIMAL WASTE
1692	06/18/96	**SCB1217**	2			Y–40 N–9 P–0 NV–0 EXA–1 EXV–0 ANIMAL WASTE
1693	06/18/96	**SCB1189**	2			Y–44 N–5 P–0 NV–0 EXA–1 EXV–0 COUNTY SCHOOL ACQUISITIONS
1694	06/18/96	**SCB1313**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 CASTLE HAYNE INCORPORATION
1695	06/18/96	**SB1330**	2			Y–48 N–0 P–0 NV–0 EXA–2 EXV–0 SEDALIA INCORPORATED
1696	06/18/96	**SB1365**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 GARNER DEANNEXATION
1697	06/18/96	**SB1389**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 ALBEMARLE DEANNEXATION
1698	06/18/96	**SB1392**	2			Y–47 N–0 P–0 NV–1 EXA–2 EXV–0 ABERDEEN ANNEXATION
1699	06/18/96	**SB1397**	2			Y–46 N–0 P–0 NV–2 EXA–2 EXV–0 SLOOP POINT INCORPORATED
1700	06/18/96	**SCB294**		4		Y–24 N–23 P–0 NV–1 EXA–2 EXV–0 REGULATION OF BARBERS/AB
1701	06/18/96	**SB1487**	2			Y–42 N–5 P–0 NV–1 EXA–2 EXV–0 NO SAME-SEX MARRIAGES
1702	06/18/96	**SB1319**	2			Y–45 N–0 P–0 NV–2 EXA–3 EXV–0 REIDSVILLE ANNEXATIONS
1703	06/18/96	**SB1122**	2			Y–40 N–2 P–0 NV–5 EXA–3 EXV–0 LIFT ESC VOTER SUNSET
1704	06/18/96	**HB1130**	2			Y–42 N–0 P–0 NV–5 EXA–3 EXV–0 LOCAL INSPECTION FEES/LIEN
1705	06/18/96	**HCB1177**	2			Y–42 N–0 P–0 NV–5 EXA–3 EXV–0 BATTLEBORO/ROCKY MOUNT
1706	06/18/96	**HCB1075**	2			Y–42 N–1 P–0 NV–4 EXA–3 EXV–0 ENDORSEMENT TO SELL SUNSET
1707	06/18/96	**SCB1173**		8		Y–3 N–39 P–0 NV–5 EXA–3 EXV–0 SCHOOLS/SNOW DAYS OFFSET
1708	06/18/96	**SB1126**			4	Y–44 N–0 P–0 NV–3 EXA–3 EXV–0 COUNTYWIDE POLLWORKERS
1709	06/18/96	**SB1126**	2			Y–44 N–0 P–0 NV–3 EXA–3 EXV–0 COUNTYWIDE POLLWORKERS
1710	06/18/96	**SB1241**	2			Y–41 N–0 P–0 NV–6 EXA–3 EXV–0 DEPENDENT JUVENILE DEFINED
1711	06/18/96	**SB1308**	2			Y–40 N–1 P–0 NV–5 EXA–4 EXV–0 ADMIN. SEARCH WARRANTS
1712	06/19/96					Y–25 N–25 P–0 NV–0 EXA–0 EXV–0 TEST VOTE

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1713	06/19/96					Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	TEST VOTE NO. 2
1714	06/19/96	**SCB1189**	3			Y–41 N–2 P–0 NV–6 EXA–1 EXV–0	COUNTY SCHOOL ACQUISITIONS
1715	06/19/96	**SB1319**	3			Y–45 N–0 P–0 NV–4 EXA–1 EXV–0	REIDSVILLE ANNEXATIONS
1716	06/19/96	**SCB1313**	3			Y–44 N–1 P–0 NV–4 EXA–1 EXV–0	CASTLE HAYNE INCORPORATION
1717	06/19/96	**SB1293**		5		Y–24 N–22 P–0 NV–3 EXA–1 EXV–0	DWI/FELONY PRIOR RECORD
1718	06/19/96	**HB1166**		5		Y–26 N–21 P–0 NV–2 EXA–1 EXV–0	NONPROFITS/DISCLOSURE
1719	06/19/96	**HB1147**	2			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0	UPDATE CODE REFERENCE
1720	06/19/96	**HCB1345**	2			Y–46 N–2 P–0 NV–1 EXA–1 EXV–0	REGULATORY FEE PROVISIONS
1721	06/19/96	**SB1183**	2			Y–44 N–2 P–0 NV–3 EXA–1 EXV–0	RESALE OF WATER AND SEWER
1722	06/19/96	**SB1183**	3			Y–43 N–2 P–0 NV–4 EXA–1 EXV–0	RESALE OF WATER AND SEWER
1723	06/19/96	**HCB1233**	2			Y–42 N–3 P–0 NV–4 EXA–1 EXV–0	HIGH-VOLTAGE LINE SAFETY ACT
1724	06/19/96	**SCB1217**			3	Y–22 N–27 P–0 NV–0 EXA–1 EXV–0	ANIMAL WASTE
1725	06/19/96	**SCB1217**			4	Y–41 N–7 P–0 NV–1 EXA–1 EXV–0	ANIMAL WASTE
1726	06/19/96	**SCB1217**			5	Y–23 N–26 P–0 NV–0 EXA–1 EXV–0	ANIMAL WASTE
1727	06/19/96	**SCB1217**			6	Y–22 N–26 P–0 NV–1 EXA–1 EXV–0	ANIMAL WASTE
1728	06/19/96	**SCB1217**	3			Y–43 N–5 P–0 NV–1 EXA–1 EXV–0	ANIMAL WASTE
1729	06/19/96	**SB1146**	2			Y–40 N–0 P–0 NV–9 EXA–1 EXV–0	REINSURANCE RESTRICTIONS
1730	06/19/96	**SB1148**	2			Y–41 N–0 P–0 NV–8 EXA–1 EXV–0	BEACH PLAN COVERAGE
1731	06/19/96	**SCB1296**	2			Y–46 N–0 P–0 NV–3 EXA–1 EXV–0	SEX OFFENDER SUPERVISION
1732	06/19/96	**SCB1296**	3			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0	SEX OFFENDER SUPERVISION
1733	06/19/96	**SCB1297**	2			Y–47 N–2 P–0 NV–0 EXA–1 EXV–0	CONDITIONS OF PROBATION
1734	06/19/96	**HCB233**			1	Y–46 N–2 P–0 NV–1 EXA–1 EXV–0	MOORE COUNTY/DISTRICT 19B
1735	06/19/96	**HCB233**	2			Y–43 N–4 P–1 NV–2 EXA–1 EXV–0	MOORE COUNTY/DISTRICT 19B
1736	06/19/96	**HB1192**	2			Y–46 N–0 P–0 NV–3 EXA–1 EXV–0	BEACH PLAN RESERVE FUND
1737	06/19/96	**HB1193**	2			Y–46 N–0 P–0 NV–3 EXA–1 EXV–0	CARE FACILITY SUPERVISION
1738	06/19/96	**HCB686**	2			Y–44 N–0 P–0 NV–5 EXA–1 EXV–0	DOMESTIC VIOLENCE CHANCES
1739	06/19/96	**HB1200**			1	Y–46 N–0 P–0 NV–3 EXA–1 EXV–0	REVISE BEACH PLAN FORMULA
1740	06/19/96	**HB1200**	2			Y–46 N–0 P–0 NV–3 EXA–1 EXV–0	REVISE BEACH PLAN FORMULA

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1741	06/19/96	**SB555**		8		Y–43 N–2 P–0 NV–4 EXA–1 EXV–0 DENTAL EXAMINERS FEES/AB
1742	06/19/96	**HCB1157**	2			Y–43 N–1 P–0 NV–5 EXA–1 EXV–0 GIFTS FROM FEDERAL PAC
1743	06/19/96	**HCB859**			1	Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 SOLID WASTE AMENDMENTS
1744	06/19/96	**HCB859**	2			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 SOLID WASTE AMENDMENTS
1745	06/19/96	**SCB1301**	2			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 GENERAL STATUTES OMNIBUS
1746	06/19/96	**SB1343**	2			Y–45 N–1 P–0 NV–3 EXA–1 EXV–0 ENV. MGMT. COMM'N MEMBERS
1747	06/19/96	**SCB126**		8		Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 AGING COMN./LONG-TERM CARE
1748	06/19/96	**SCB687**		8		Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 WASTEWATER SYSTEMS PERMITS
1749	06/19/96	**HCB1075**	3			Y–41 N–0 P–0 NV–8 EXA–1 EXV–0 ENDORSEMENT TO SELL SUNSET
1750	06/19/96	**SB1330**	3			Y–44 N–1 P–0 NV–4 EXA–1 EXV–0 SEDALIA INCORPORATED
1751	06/19/96	**SB1365**	3			Y–44 N–1 P–0 NV–4 EXA–1 EXV–0 GARNER DEANNEXATION
1752	06/19/96	**SB1389**	3			Y–44 N–1 P–0 NV–4 EXA–1 EXV–0 ALBEMARLE DEANNEXATION
1753	06/19/96	**SB1392**	3			Y–44 N–1 P–0 NV–4 EXA–1 EXV–0 ABERDEEN ANNEXATION
1754	06/19/96	**SB1397**	3			Y–44 N–1 P–0 NV–4 EXA–1 EXV–0 SLOOP POINT INCORPORATED
1755	06/19/96	**HB1130**	3			Y–44 N–1 P–0 NV–4 EXA–1 EXV–0 LOCAL INSPECTION FEES/LIEN
1756	06/19/96	**HCB1177**	3			Y–44 N–1 P–0 NV–4 EXA–1 EXV–0 BATTLEBORO/ROCKY MOUNT
1757	06/19/96	**HCB1233**	2			Y–44 N–3 P–0 NV–2 EXA–1 EXV–0 HIGH-VOLTAGE LINE SAFETY ACT
1758	06/19/96	**HCB1075**	3			Y–42 N–0 P–0 NV–7 EXA–1 EXV–0 ENDORSEMENT TO SELL SUNSET
1759	06/20/96					Y–26 N–24 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1760	06/20/96	**SCB1139**		8		Y–19 N–28 P–0 NV–2 EXA–1 EXV–0 ABC'S PLAN
1761	06/20/96	**HB1072**	2			Y–47 N–1 P–0 NV–1 EXA–1 EXV–0 PEMBROKE STATE UNIV. NAMED
1762	06/20/96	**HCB332**	2			Y–49 N–0 P–0 NV–0 EXA–1 EXV–0 DOM./NURSING HM PENALTY/AB
1763	06/20/96	**HCB1077**			1	Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 CHANGE FISHERIES LAWS
1764	06/20/96	**HCB1077**	2			Y–49 N–0 P–0 NV–0 EXA–1 EXV–0 CHANGE FISHERIES LAWS
1765	06/20/96	**HCB1149**			1	Y–49 N–0 P–0 NV–0 EXA–1 EXV–0 PHYSICIAN REGISTRATION
1766	06/20/96	**HCB1149**	2			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 PHYSICIAN REGISTRATION
1767	06/20/96	**HCB1163**	2			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 RENTAL EQUIPMENT LIENS
1768	06/20/96	**SCB125**		8		Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 CANCELLATION BY EXHIBITION

SEQ#	DATE	BILL	RDG	CR	MOT	AMD	TOTALS (LEGEND—SEE PAGE 350)
1769	06/20/96	**HCB1149**				2	Y–45 N–0 P–0 NV–4 EXA–1 EXV–0 PHYSICIAN REGISTRATION
1770	06/20/96	**HCB1149**	3				Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 PHYSICIAN REGISTRATION
1771	06/20/96	**SCB1173**		C	7		Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 SCHOOLS/SNOW DAYS OFFSET
1772	06/20/96	**HB1256**		C	7		Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 SPRUCE PINE STAGGERED TERMS
1773	06/20/96	**SR1494**			0		Y–26 N–23 P–0 NV–0 EXA–1 EXV–0 POSTPONE ADJOURNMENT OFFER
1774	06/20/96	**HCB1268**	2				Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 TOWED VEHICLE DISPOSAL
1775	06/20/96	**HCB207**	2				Y–47 N–1 P–0 NV–1 EXA–1 EXV–0 CHILD/SOLICIT BY COMPUTER
1776	06/20/96	**HCB1207**	2				Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 JUVENILE COMMITMENT
1777	06/20/96	**HB1159**	2				Y–36 N–10 P–0 NV–3 EXA–1 EXV–0 LIFT ESC VOTER SUNSET
1778	06/20/96	**HCB1203**	2				Y–45 N–1 P–0 NV–3 EXA–1 EXV–0 COUNTYWIDE POLL WORKERS
1779	06/20/96	**HB1097**	2				Y–44 N–0 P–0 NV–5 EXA–1 EXV–0 BREVARD CONVEYANCE
1780	06/20/96	**HB1097**	2				Y–45 N–0 P–0 NV–4 EXA–1 EXV–0 BREVARD CONVEYANCE
1781	06/20/96	**HCB1080**				1	Y–42 N–0 P–0 NV–7 EXA–1 EXV–0 CURRITUCK FOX HUNTING
1782	06/20/96	**HCB1135**	2				Y–38 N–2 P–0 NV–9 EXA–1 EXV–0 CRAVEN COUNTY LOCAL ORD.
1783	06/20/96	**HCB1376**				1	Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 LOCAL RACCOON TRAPPING
1784	06/20/96	**HB1395**				1	Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 RIVER BEND ELECTIONS
1785	06/20/96	**HB1395**	2				Y–45 N–0 P–0 NV–4 EXA–1 EXV–0 RIVER BEND ELECTIONS
1786	06/20/96	**SCB1173**		C	7		Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 SCHOOLS/SNOW DAYS OFFSET
1787	06/20/96	**HB1097**	2				Y–45 N–0 P–0 NV–4 EXA–1 EXV–0 BREVARD CONVEYANCE
1788	06/21/96						Y–50 N–0 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
1789	06/21/96	**SJR1495**	2				Y–45 N–0 P–0 NV–4 EXA–1 EXV–0 MEM. GOV. JOHN M. MOREHEAD
1790	06/21/96	**SCB855**			8		Y–1 N–47 P–0 NV–1 EXA–1 EXV–0 HOSPITALS MANAGED CARE
1791	06/21/96	**HCB879**				1	Y–24 N–24 P–0 NV–1 EXA–1 EXV–0 STATEWIDE GUN REGULATION
1792	06/21/96	**HCB879**			6	1	Y–47 N–2 P–0 NV–0 EXA–1 EXV–0 STATEWIDE GUN REGULATION
1793	06/21/96	**HCB879**				1	Y–26 N–23 P–0 NV–0 EXA–1 EXV–0 STATEWIDE GUN REGULATION
1794	06/21/96	**HCB879**	2				Y–40 N–9 P–0 NV–0 EXA–1 EXV–0 STATEWIDE GUN REGULATION
1795	06/21/96	**HCB1203**	3		6		Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 COUNTYWIDE POLL WORKERS
1796	06/21/96	**HCB1203**				1	Y–43 N–2 P–0 NV–4 EXA–1 EXV–0 COUNTYWIDE POLL WORKERS

SEQ#	DATE	BILL	RDG	CR	MOT	AMD	TOTALS (LEGEND—SEE PAGE 350)
1797	06/21/96	**HCB1203**	3				Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 COUNTYWIDE POLL WORKERS
1798	06/21/96	**HB1125**				2	Y–46 N–1 P–0 NV–2 EXA–1 EXV–0 WAKE ONE-STOP VOTING
1799	06/21/96	**HB1147**	3				Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 UPDATE CODE REFERENCE
1800	06/21/96	**HCB1345**	3				Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 REGULATORY FEE PROVISIONS
1801	06/21/96	**SCB1139**		C	7		Y–46 N–1 P–0 NV–2 EXA–1 EXV–0 ABC'S PLAN
1802	06/21/96	**SCB1188**	2				Y–45 N–1 P–0 NV–3 EXA–1 EXV–0 TRESPASS/THEFT OF PINE STRAW
1803	06/21/96	**SCB192**	2				Y–46 N–0 P–0 NV–3 EXA–1 EXV–0 CHIRO. DISPENSE VITAMINS
1804	06/21/96	**SB1344**	2				Y–45 N–0 P–0 NV–4 EXA–1 EXV–0 SUPPLEMENTAL INS. BENEFITS
1805	06/21/96	**HCB9**	2				Y–48 N–1 P–0 NV–0 EXA–1 EXV–0 STREAMLINE CRIMINAL APPEALS
1806	06/21/96	**HCB934**	2				Y–42 N–2 P–0 NV–5 EXA–1 EXV–0 ENV. CLARIFYING/CORRECTIONS
1807	06/21/96	**HCB1086**	2				Y–43 N–0 P–0 NV–6 EXA–1 EXV–0 LOSS COSTS CLEANUP
1808	06/21/96	**HCB1199**	2				Y–45 N–0 P–0 NV–4 EXA–1 EXV–0 DEF. NONFLEET MOTOR VEHICLE
1809	06/21/96	**HCB1135**	3				Y–43 N–1 P–0 NV–5 EXA–1 EXV–0 CRAVEN COUNTY LOCAL ORD.
1810	06/21/96	**HCB1201**	2				Y–43 N–0 P–0 NV–3 EXA–4 EXV–0 REVISE CONSENT TO RATE
1811	06/21/96	**HCB1202**	2				Y–41 N–0 P–0 NV–5 EXA–4 EXV–0 SMALL EMPLOYER HEALTH PLANS
1812	06/21/96	**SCB821**			8		Y–44 N–0 P–0 NV–2 EXA–3 EXV–1 PRENEED SALES CLARIFICATION
1813	06/21/96	**HCB1102**	2				Y–46 N–0 P–0 NV–0 EXA–4 EXV–0 SCHOOL BUDGET ACT
1814	06/21/96	**HCB779**	2				Y–24 N–20 P–0 NV–2 EXA–4 EXV–0 EMPLOYEE ASSISTANCE PROF.
1815	06/21/96	**SCB1297**				1	Y–34 N–11 P–0 NV–4 EXA–1 EXV–0 CONDITIONS OF PROBATION
1816	06/21/96	**SCB1273**	2				Y–44 N–0 P–0 NV–5 EXA–1 EXV–0 NO DMV COMMISSIONER
1817	06/21/96	**SCB1298**	2				Y–43 N–0 P–0 NV–6 EXA–1 EXV–0 EMISSIONS INSPECT. PENALTIES
1818	06/21/96	**HB1141**	2				Y–40 N–0 P–0 NV–9 EXA–1 EXV–0 DIGITIZED IMAGERY LICENSE
1819	06/21/96	**HCB1172**	2				Y–39 N–0 P–0 NV–10EXA–1 EXV–0 TRANSFER RAIL SAFETY
1820	06/21/96	**HB1379**	2				Y–44 N–0 P–0 NV–5 EXA–1 EXV–0 IREDELL-MOORESVILLE SCHOOL
1821	06/21/96	**HB1097**	3				Y–44 N–0 P–0 NV–5 EXA–1 EXV–0 BREVARD CONVEYANCE
1822	06/21/96	**SCB709**			8		Y–40 N–0 P–0 NV–9 EXA–1 EXV–0 CONSOLIDATED HUMAN SERVICES
1823	06/21/96	**SCB1393**			8		Y–38 N–0 P–0 NV–11EXA–1 EXV–0 MECK./CATAWBA DEPUTIES' RET.
1824	06/21/96	**SCB1244**			8		Y–39 N–0 P–0 NV–10EXA–1 EXV–0 WALLACE SATELLITE ANNEX.

SEQ#	DATE	BILL	RDG	CR	MOT	AMD	TOTALS	(LEGEND—SEE PAGE 350)
1825	06/21/96	**SCB323**			8		Y-43 N-0 P-0 NV-6 EXA-1 EXV-0	OBSERVERS AT POLLS
1826	06/21/96	**HB1182**	2				Y-41 N-0 P-0 NV-8 EXA-1 EXV-0	DELETE "L' DRIVER'S LICENSE
1827	06/21/96	**HCB1162**	2				Y-42 N-0 P-0 NV-7 EXA-1 EXV-0	VOTER'S TESTIMONY
1828	06/21/96	**HCB1083**	2				Y-45 N-0 P-0 NV-4 EXA-1 EXV-0	APPTS./ETJ NOTICE/HEARING
1829	06/21/96	**HB1166**				1	Y-43 N-0 P-0 NV-6 EXA-1 EXV-0	NONPROFITS/DISCLOSURE
1830	06/21/96	**HB1166**	2				Y-44 N-1 P-0 NV-4 EXA-1 EXV-0	NONPROFITS/DISCLOSURE
1831	06/21/96	**HB1094**	2				Y-46 N-0 P-0 NV-3 EXA-1 EXV-0	REVISE FAILURE TO PAY PENALTY
1832	06/21/96	**HB1272**	2				Y-43 N-0 P-0 NV-6 EXA-1 EXV-0	STATESVILLE DEANNEXATION
1833	06/21/96	**HCB955**		C	7		Y-37 N-8 P-0 NV-5 EXA-0 EXV-0	CHARTER SCHOOL EDUCATION OPPORTUNITY ACT
1834	06/21/96	**HB1394**				1	Y-45 N-0 P-0 NV-5 EXA-0 EXV-0	GRAHAM SCHOOL PROPERTY
1835	06/21/96	**SCB540**			8		Y-42 N-0 P-0 NV-8 EXA-0 EXV-0	ROCKINGHAM CITY ELECTIONS
1836	06/21/96	**SCB1201**			8		Y-44 N-0 P-0 NV-6 EXA-0 EXV-0	LUMBERTON SUPP. FIRE PENSION
1837	06/21/96	**HB1258**	2				Y-43 N-1 P-0 NV-6 EXA-0 EXV-0	WSSU RESIDENCE SALE PROCEEDS
1838	06/21/96	**HB1096**				1	Y-43 N-0 P-0 NV-1 EXA-6 EXV-0	PREMIUMS TAX COLLECTION
1839	06/21/96	**HB1096**	2				Y-43 N-0 P-0 NV-1 EXA-6 EXV-0	PREMIUMS TAX COLLECTION
1840	06/21/96	**SCB359**			8		Y-39 N-0 P-0 NV-5 EXA-6 EXV-0	BLUE LIGHT BANDIT/FELONY
1841	06/21/96	**HB1301**				1	Y-41 N-0 P-0 NV-6 EXA-3 EXV-0	ABDUCTION/LEGAL CUSTODIAN
1842	06/21/96	**HB1301**	2				Y-42 N-0 P-0 NV-5 EXA-3 EXV-0	ABDUCTION/LEGAL CUSTODIAN
1843	06/21/96	**HCB1164**				1	Y-44 N-0 P-0 NV-3 EXA-3 EXV-0	MOLD LIEN ACT
1844	06/21/96	**HCB1164**	2				Y-44 N-0 P-0 NV-3 EXA-3 EXV-0	MOLD LIEN ACT
1845	06/21/96	**SCB470**			8		Y-33 N-1 P-0 NV-13EXA-3 EXV-0	GOOD FUNDS SETTLEMENT ACT
1846	06/21/96	**SB833**			8		Y-42 N-2 P-0 NV-3 EXA-3 EXV-0	AMBER LIGHTS/STOPPED VEHICLE
1847	06/21/96	**SCB534**			8		Y-40 N-0 P-0 NV-7 EXA-3 EXV-0	BAIL BONDSMEN REGULATION/AB
1848	06/21/96	**SCB33**			8		Y-43 N-0 P-0 NV-4 EXA-3 EXV-0	FELONY PLEA/ARRAIGNMENT
1849	06/21/96	**HB1413**				1	Y-43 N-0 P-0 NV-4 EXA-3 EXV-0	MECKLENBURG HIGH SCHOOL
1850	06/21/96	**HB1413**	3				Y-43 N-0 P-0 NV-4 EXA-3 EXV-0	MECKLENBURG HIGH SCHOOL
1851	06/21/96	**SCB859**			8		Y-42 N-0 P-0 NV-5 EXA-3 EXV-0	THOMAS S. DIVERSION

SEQ#	DATE	BILL	RDG	CR	MOT	AMD	TOTALS (LEGEND—SEE PAGE 350)
1852	06/21/96	**SCB1301**			8		Y–43 N–0 P–0 NV–4 EXA–3 EXV–0 GENERAL STATUTES OMNIBUS
1853	06/21/96	**SCB1165**			8		Y–43 N–0 P–0 NV–4 EXA–3 EXV–0 COUNTY REGISTRATION BLOCK
1854	06/21/96	**HJR1459**	2				Y–42 N–0 P–0 NV–5 EXA–3 EXV–0 CONDEMN BURNING CHURCHES
1855	06/21/96	**HB1458**	2				Y–44 N–0 P–0 NV–3 EXA–3 EXV–0 BURN/BOMB RELIGIOUS BUILDING
1856	06/21/96	**HCB1237**	2				Y–43 N–0 P–0 NV–4 EXA–3 EXV–0 AREA AUTHORITY ACCOUNT.
1857	06/21/96	**SB1294**			8		Y–39 N–0 P–0 NV–8 EXA–3 EXV–0 DMV TRUCKING
1858	06/21/96	**SCB1380**			8		Y–39 N–0 P–0 NV–8 EXA–3 EXV–0 DURHAM SIDEWALK FEES
1859	06/21/96	**HB1125**				2	Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 WAKE ONE-STOP VOTING
1860	06/21/96	**SCB1139**		C	7		Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 ABC'S PLAN
1861	06/21/96	**HCB1202**	2				Y–43 N–0 P–0 NV–3 EXA–4 EXV–0 SMALL EMPLOYER HEALTH PLANS
1862	06/21/96	**HCB779**	2				Y–24 N–21 P–0 NV–1 EXA–4 EXV–0 EMPLOYEE ASSISTANCE PROF.
1863	06/21/96	**SCB709**			8		Y–41 N–0 P–0 NV–8 EXA–1 EXV–0 CONSOLIDATED HUMAN SERVICES
1864	06/21/96	**SCB1393**			8		Y–39 N–0 P–0 NV–10EXA–1 EXV–0 MECK./CATAWBA DEPUTIES' RET.
1865	06/21/96	**HB1094**	2				Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 REVISE FAILURE TO PAY PENALTY
1866	06/21/96	**HCB955**		C	7		Y–37 N–8 P–0 NV–4 EXA–1 EXV–0 CHARTER SCHOOL EDUCATION OPPORTUNITY ACT
1867	06/21/96	**HB1394**				1	Y–45 N–0 P–0 NV–4 EXA–1 EXV–0 GRAHAM SCHOOL PROPERTY
1868	06/21/96	**SCB540**			8		Y–42 N–0 P–0 NV–7 EXA–1 EXV–0 ROCKINGHAM CITY ELECTIONS
1869	06/21/96	**SCB1201**			8		Y–44 N–0 P–0 NV–5 EXA–1 EXV–0 LUMBERTON SUPP. FIRE PENSION
1870	06/21/96	**HB1258**	2				Y–43 N–1 P–0 NV–5 EXA–1 EXV–0 WSSU RESIDENCE SALE PROCEEDS

APPENDIX



NORTH CAROLINA GENERAL ASSEMBLY SENATORIAL DISTRICTS

(G.S. 120–1)

DISTRICTS (Seats)	COUNTIES Townships, Precincts, Census Tracts, Block Groups
1st (1)	**BEAUFORT** (Townships: Long Acre, Pantego, Washington: **Tract 9905:** Block Group 5 [522A, 528A]); **BERTIE** (Whites, Windsor 2); **CAMDEN; CHOWAN; CURRITUCK; DARE; HYDE; PASQUOTANK; PERQUIMANS; TYRRELL; WASHINGTON** (Plymouth 3, Scuppernong, Skinnersville).
2nd (1)	**BERTIE** (Colerain 1,2, Indian Woods, Merry Hill, Mitchells 1,2, Roxobel, Snakebite, Windsor 1, Woodville); **GATES; HALIFAX** (Butterwood, Conoconnara, Enfield 1,2,3, Halifax, Hobgood, Hollister, Littleton 1,2, Palmyra, Roseneath, Scotland Neck 1,2, Weldon 1,2,3); **HERTFORD; NORTHAMPTON; VANCE** (Dabney, Middleburg, Townsville, Williamsboro); **WARREN**.
3rd (1)	**CARTERET** (Townships: Atlantic, Beaufort, Cedar Island, Davis, Harkers Island, Harlowe, Marshallberg, Merrimon, Morehead: **Tract 9703:** Block Group 4 [437], **Tracts 9704, 9705, 9706:** Block Group 1, Block Group 2, Block Group 3 [301A, 302–359], Block Group 4, **Tract 9707,** Block Group 6 [601, 602, 621A, 621B, 624A, 625A, 626A, 627A, 628A, 629A, 630–648, 649A, 650–663], **Tract 9708:** Block Group 4: [401A, 459A, 460–463], Newport, Portsmouth, Sea Level, Smyrna, Stacy, Straits, White Oak: **Tract 9708:** Block Group 1 [101B, 102, 103C, 105–126, 130B, 139B], Block Group 2 [201, 203, 204], Block Group 4 [401C, 403–409, 410A, 410B, 410C, 411A, 411B, 411C, 412–414, 415A, 415B, 416, 417A, 417B, 418, 419A, 419B, 420A, 420B, 420C, 421–423, 424A, 424B, 425–444, 445A, 445B, 446–447, 448A, 448B, 449, 450A, 450B, 451–454, 455A, 455B, 456–457, 458B]); **CRAVEN; PAMLICO**.
4th (1)	**CARTERET** (Townships: Morehead: **Tract 9709**: Block Group 1 [108–124, 125A, 125B, 126–140], Block Group 2 [201A, 201C, 201D, 202–212], **Tracts 9710, 9711, 9711.99, 9712**, White Oak: **Tract 9708**: Block Group 2 [202, 205–256], Block Groups 3,5,6,7, **Tract: 9709**: Block Group 1 [101–107, 141–154], Block Group 2 [201B], Block Groups 3,4,5,6 [601–665]); **NEW HANOVER** (Cape Fear 2,3, Federal Point 1,2,3, Harnett 2,3,4,5,6,7, Masonboro 2,3,4,5, Wilmington 8,11,12,13,14,16,17,18, Wrightsville Beach); **ONSLOW** (Bear Creek, Catherine Lake, Cross Roads, Folkstone: **Tract 4**: Block Group 3 [301A, 301B, 302A, 302B, 303A, 303B, 304, 305A, 305B, 306A, 306B, 307, 308, 309A, 309B, 310, 311A, 311B, 312–318, 320–330, 340–347, 352–354, 362, 363], Holly Ridge: **Tract 4**: Block Group 4 [401A, 401B], Hubert, Mortons, Sneads Ferry: **Tract 4**: Block Group 3 [319], Swansboro, Tar Landing, Verona: **Tract 3**: Block Group 2 [216], Block Group 3: [301A, 301B, 302, 303A, 303B, 304A, 304B, 305, 306, 307A, 307B, 308, 309A, 309B, 310A, 310B, 313A, 313C, 314–325], Block Group 4 [425–431, 433–435]; Camp Lejeune Military Base 13); **PENDER** (Scott's Hill, Surf City, Lower Topsail, Upper Topsail).

DISTRICTS (Seats)		COUNTIES Townships, Precincts, Census Tracts, Block Groups
5th	(1)	**DUPLIN; JONES** (Chinquapin, Cypress Creek, Tuckahoe); **ONSLOW** (Brynn Marr, Harris Creek, Haw Branch, Haws Run: **Tract 4**: Block Group 4 [408], Gum Branch, Half Moon: **Tract 12**: Block Group 1 [101B, 102B, 108B, 109B, 110–18, 128–132, 136, 137], Jacksonville, East Northwoods, West Northwoods, Richlands); **PENDER** (North Burgaw, Middle Holly: **Tract 9802**: Block Group 1 [112A, 113A, 124, 129A, 130A, 131A, 132–138, 163, 164, 191–195], Upper Holly: **Tract 9803**: Block Group 1 [101A], Long Creek, Penderlea, Rocky Point, Lower Union); **SAMPSON** (Autreyville, Clement, Central Clinton, East Clinton, Northeast Clinton, Southwest Clinton, West Clinton, Garland, Harrells, Herring, Ingold, Keener, Mingo, Plainview, Rowan, Salemburg, Turkey).
6th	(1)	**EDGECOMBE** (Precincts: 1–1, 1–2, 1–3, 1–4, 2–1, 3–1, 4–1, 5–1, 6–1, 7–1, 8–1, 10–1, 11–1, 12–1, 12–2, 12–4, 12–5); **MARTIN** (Goose Nest, Hamilton, Hassell, Jamesville, Poplar Point, Robersonville 1,2, Williams, Williamston 1, 2. **Tract: 9704**: Block Group 2 [202], **Tract 9705**: Block Group 4 [413], **Tract 9706**: Block Group 1 [168A]); **PITT** (Arthur, Belvoir, Bethel, Falkland, Farmville East, Farmville West, Fountain; Precincts: Greenville 1, 2, 2 (noncontiguous), 3, 4); **WASHINGTON** (Lees Mill, Plymouth 1,2); **WILSON** (Gardners; Precincts: Wilson B, E, F, G, H, N, Q).
7th	(1)	**JONES** (Beaver Creek, Pollocksville, Trenton, White Oak); **LENOIR** (Kinston 1,2,6,7,8, Southwest); **NEW HANOVER** (Cape Fear 1, Wilmington 1,2,3,6,7,9,10,15); **ONSLOW** (Holly Ridge: **Tract 4**: Block Group 3 [331–339, 348–351, 355–361, 364], Block Group 4 [402–407, 409–426, 427A, 427B, 428–429, 430A, 430B, 431A, 431B, 432–434, 435A, 435B, 435C, 436A, 436B, 437A, 437B, 438–490, 491A, 491B, 492, 493A, 493B, 494–497], Mills: **Tract 1**: Block Group 1 [101–103, 104B, 105–112, 114, 115, 119, 120, 125B, 129B, 133, 134B, 135B, 136, 137B], New River, Northeast, Verona: **Tract 3**: Block Group 4 [432]. **VTD ZZZZ: Tract 1**: Block Group 1 [104A, 125A, 126–128, 129A, 130–132, 134A, 135A, 137A, 138, 139A, 140–143, 144A, 144B, 144C, 145–168, 169A, 170, 171A, 172–176, 177A, 177B, 178, 179, 185, 186, 196A, 196B, 197A, 197B], **Tract 2**: Block Group 6 [627A, 628, 629A, 629B, 630A, 631–633, 634A, 635A, 648A, 649A], **Tract 12**: Block Group 1 [101A, 102A, 103–106, 107A, 108A, 109A], **Tract 13**: Block Group 1 [107]; Camp Lejeune Military Bases 1,2,3,4,5,6,7,8,9, 10,11,12,14); **PENDER** (South Burgaw, Canetuck, Caswell, Columbia, Grady, Upper Holly: **Tract 9802**: Block Group 1 [101–105, 106A, 107A, 114–123, 125–128, 139–162, 165–180, 181A, 182–190, 196, 197], Block Group 2 [201A, 201B, 220], Upper Union).
8th	(1)	**GREENE; LENOIR** (Neuse, Pink Hill 1, 2, Trent 1, 2, Woodlington); **WAYNE**.

DISTRICTS (Seats)	COUNTIES Townships, Precincts, Census Tracts, Block Groups
9th (1)	**BEAUFORT** (Townships: Bath, Chocowinity, Richland, Washington: **Tract 9902**: Block Group 1 [129B, 130B, 131–156, 157B, 158B, 159B, 160B, 175B, 176B, 185B, 186B, 187B, 189–191, 197], Block Group 2, **Tracts: 9903, 9904**); **LENOIR** (Contennea, Falling Creek, Institute, Kinston 3,4,5,9, Moseley Hall, Sandhill, Vance); **MARTIN** (Beargrass, Cross Roads, Griffins); **PITT** (Ayden East, Ayden West, Carolina, Chicod, Greenville 5,6,7,8,9,10,11,12,13, Grifton, Grimesland, Pactolus, Simpson, Swift Creek, Winterville East, Winterville West).
10th (1)	**EDGECOMBE** (Precincts: 9–1, 12–3, 13–1, 14–1); **HALIFAX** (Faucett, Ringwood, Roanoke Rapids 1,2,3,4,5,6,7,8,9,10,11); **NASH; WILSON** (Black Creek, Saratoga, Stantonsburg, Toisnot, Wilson A,C,D,I,M).
11th (1)	**FRANKLIN; JOHNSTON** (North Beulah, East Clayton, West Clayton, Cleveland, North O'Neals, South O'Neals, East Selma, West Selma, East Smithfield, North Smithfield, West Smithfield, Wilders, Wilson's Mills); **VANCE** (East Henderson, I, II, North Henderson I, II, South Henderson I, II, West Henderson I, IIA, IIB, Hilltop, Kittrell, Sandy Creek, Watkins); **WILSON** (Cross Roads, Old Fields, Spring Hill, Taylors, Wilson J,K,L,P).
12th (2)	**ALLEGHANY; ASHE; GUILFORD** (North Madison, South Madison, Stokesdale, North Washington, South Washington); **ROCKINGHAM; STOKES; SURRY; WATAUGA.**
13th (2)	**DURHAM; GRANVILLE; PERSON** (Allensville, Cunningham–Chub Lake, Holloway, Mt.Tirzah, Roxboro City #1,1A,2,3,4, Woodsdale); **WAKE** (Buckhorn, Cedar Fork, House Creek #1, Leesville #1, 3, New Light #2, White Oak #2).
14th (2)	**JOHNSTON** (North Elevation, South Elevation, Pleasant Grove); **WAKE** (Holly Springs, Little River 1,2, Marks Creek 1,2, Middle Creek 1,2, Panther Branch, Raleigh 01–01 through 01–07, 01–09 through 01–23, 01–26, 01–27, 01–27 (part), 01–28 through 01–46, St. Mary's 1,2,3,4,6,7, St. Matthews 1,2,3,4, Wake Forest 1,2).
15th (1)	**HARNETT; JOHNSTON** (North Banner, South Banner, West Banner, Bentonville, South Beulah, North Boon Hill, South Boon Hill, East Ingrams, West Ingrams, North Meadow, South Meadow, Micro, Pine Level); **LEE** (Cape Fear, Cumnock, Deep River, Jonesboro, East Sanford, West Sanford 1,2,3); **SAMPSON** (Kitty Fork, Newton Grove, Giddensville, Westbrook).
16th (2)	**CHATHAM; LEE** (Greenwood, East Pocket, West Pocket); **MOORE; ORANGE; RANDOLPH** (Armory, North Asheboro, East Cedar Grove, West Cedar Grove, Coleridge, Deep River, Eastside, Falls, Franklinville, Grant, Liberty, Lindley Park, Loflin, McCrary, New Hope, Providence, East Ramseur, West Ramseur, East Randleman, West Randleman, Richland, South Pointe, Staley, Union, Westside, Worthville).
17th (2)	**ANSON; HOKE** (Buchan, Fort Bragg, Puppy Creek, McCain, Rockfish); **MONTGOMERY; RICHMOND; SCOTLAND; STANLY** (For Township: Almond—see District 22); **UNION.**

DISTRICTS (Seats)	COUNTIES Townships, Precincts, Census Tracts, Block Groups
18th (1)	**BLADEN** (For Townships: Hollow, White Oak—see District 30); **BRUNSWICK; COLUMBUS; NEW HANOVER** (Wilmington 4,5).
19th (1)	**DAVIDSON** (Abbotts Creek, Thomasville 8); **GUILFORD** (Bruce, Clay, North Center Grove, South Center Grove, Deep River, Fentress 1,2, Friendship–1, Greene, Jamestown–3, Oak Ridge, Greensboro 20,27A,27B,27C,34A,37A,37B,39,41A, High Point 8,16,20,23,24); **RANDOLPH** (East Archdale, West Archdale, Back Creek, Concord, Level Cross, North New Market, South New Market, Prospect, Tabernacle, East Trinity, West Trinity).
20th (2)	**FORSYTH** (For Clemmonsville 2, 3—see District 38).
21st (1)	**ALAMANCE; CASWELL; PERSON** (Bushy Fork, Flat River, Hurdle Mills, Olive Hill).
22nd (1)	**CABARRUS; ROWAN** (Blackwelder Park, Bostian School, Bradshaw, S. China Grove, Enochville, East Kannapolis, West Kannapolis, East Landis, West Landis, Locke, Steele); **STANLY** (Township: Almond).
23rd (1)	**DAVIDSON** (Boone, Central, Cotton, Southmont, Lexington 1,2,4, Ward 1,2,3,4,5,6, Tyro, Silver Hill); **IREDELL** (Barringer, Coddle Creek 1,2,3, Cool Springs, Eagle Mills, New Hope, Olin, Statesville 3,4,5,6, Turnersburg, Union Grove); **ROWAN** (Cleveland, Faith (noncontiguous), Franklin, Hatters Shop, Milford Hills, Mt. Ulla, West Innes, Scotch Irish, Spencer, East Spencer, Trading Ford, Trading Ford (noncontiguous A), Unity, East Ward I, II, North Ward I, II, South Ward, West Ward I, II, III).
24th (1)	**CUMBERLAND** (Alderman, Black River, Brentwood, Cedar Creek, Cross Creek 4,7,8,9,10,11,12,14,15,18,20,21,22,23, Cumberland 1,2, Hope Mills 1, Judson, Linden, Long Hill, Manchester, Montclair, Pearces Mill 2,3,4, Seventy First 2,3, Sherwood, Stedman, Vander, Wade).
25th (1)	**CLEVELAND** (Falston, Lawndale, Polkville, Shelby 4); **GASTON** (Armstrong, Ashbrook, Bessemer City 1,2, Cherryville 1,2,3, Crowders Mtn., Dallas 1,2, Firestone, Flint Groves, Gardner Park, Grier, Health Center, Highland, Landers Chapel, Memorial Hall, Lowell, McAdenville, Myrtle, Ranlo, Robinson, Sherwood, Tryon, Woodhill, Victory); **LINCOLN** (Crouse, Heavners, Lincolnton/North, Lincolnton/South, Lithia, Love Memorial, Long Shoals, North Brook I/II).
26th (1)	**CATAWBA; LINCOLN** (Asbury, Boger City, Buffalo Shoals, Daniels/Vale, Hickory Grove, North Brook III, Pumpkin Center).
27th (2)	**ALEXANDER; AVERY; BURKE** (Drexel 1, 2, 3, Icard 1, 2, 3, 4, 5, Jonas Ridge, Linville1, Lovelady 1,2,3,4, Lower Creek, Lower Fork, Morganton 7, Smoky Creek, Upper Creek, Upper Fork); **CALDWELL; MITCHELL; WILKES; YADKIN.**
28th (2)	**BUNCOMBE** (For Broad River, Fairview, Limestone 2—see District 42); **BURKE** (Linville 2, Morganton 1,3,4,5,6,8,9,10, Quaker Meadow 1,2, Silver Creek 1,2,3,4); **MADISON; McDOWELL; YANCEY.**

DISTRICTS (Seats)	COUNTIES Townships, Precincts, Census Tracts, Block Groups
29th (1)	**HAYWOOD** (For Townships: Cecil, Pigeon—see District 42); **HENDERSON** (Armory, Brickton, Brickton (noncontiguous), North Blue Ridge, Clear Creek, Hendersonville 1,2,3, Long John Mountain, Moores Grove, Northeast, Northwest (noncontiguous), North Mills River, South Mills River, Pisgah View); **JACKSON** (For Township: Cashiers—see District 42); **MACON** (Townships: Cowee, Franklin: **Tract 9702**: Block Group 1 [101B, 110C, 120–129, 130B, 131–140], Block Group 2 [216C], **Tract 9703**: Block Groups 1, 2, 3 [302A, 302B, 304, 307, 308, 309A, 309B, 310A, 310B, 310C, 311–314, 315A, 315B, 316, 317A, 317B, 318–321], Block Groups 4, 5, 6 [601–605, 606A, 607A, 607B, 608, 609A, 610, 611, 612A, 622, 623, 634–637], Block Groups 7, 8 [801B, 802, 804–828], **Tract 9704**: Block Group 1 [160A, 161A, 162A, 164–166], Block Group 2 [218A, 218B, 220, 221A, 221B], **Tract 9706**: Block Group 1 [101–125, 126A], Block Group 2 [201–210, 211B, 211C, 212–226, 227A, 228–238, 239A, 241, 242, 243A, 244A, 245A, 246–251, 252A, 253, 254A, 257–259], Block Group 3 [301C, 306B, 307B, 311A, 312, 313A, 314, 315, 321B], Block Group 4 [408B, 413], **Tract 9707**: Block Group 1 [111B, 112B, 113–118, 119B, 120B, 121B, 123, 136B, 139–141], Block Group 2 [205–207, 210–222], Block Group 3 [301–312, 313A, 314–318, 319A, 320, 321A], Block Group 4 [401B, 401C, 404B, 411A]); **SWAIN; TRANSYLVANIA** (Townships: Boyd, Brevard).
30th (1)	**BLADEN** (Townships: Hollow, White Oak); **CUMBERLAND** (Beaver Dam, Hope Mills 2); **HOKE** (Allendale, Antioch, Blue Springs, Raeford 1, 2, 3, 4, 5, Stonewall); **ROBESON; SAMPSON** (Roseboro, Lakewood).
31st (1)	**GUILFORD** (Gibsonville, Jamestown 1,2, North Jefferson, South Jefferson, North Monroe, South Monroe, North Sumner, South Sumner, Whitsett, (GIB–G), Greensboro 3, 4, 5, 6, 7, 8, 9, 19, 25, 29, 30, 42, 44 45, High Point 3, 5, 6, 7, 11, 12, 13, 18, 21, 22).
32nd (1)	**GUILFORD** (Friendship–2, Greensboro 1, 2, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24A, 24B, 24C, 26A, 26B, 28, 31, 32, 33, 34B, 35A, 35B, 35C, 36, 38, 40A, 40B, 41B, 43, High Point 1, 2, 4, 9, 10, 14, 15, 17, 19).
33rd (1)	**MECKLENBURG** (Long Creek 2, Charlotte Precincts: 11, 12, 13, 14, 16, 16(part), 22, 25, 27, 31, 39, 41, 42, 50, 52, 54, 55, 56, 57, 58, 59, 73, 75, 76, 77, 87, 92, 93, 97, 98).
34th (1)	**LINCOLN** (Lowesville, Triangle); **MECKLENBURG** (Berryhill, Cornelius, Crab Orchard 2, Davidson, Huntersville, Lemly, Long Creek 1–North, Long Creek 1–South, Mallard Creek 1, 1 (part), 2, XMallard Creek–2 (noncontiguous), Oakdell, Paw Creek 1,2, Steel Creek 1,2, Charlotte Precincts: 4, 23, 24, 26, 40, 53, 60, 78, 79, 80, 81, 82, 89, 105).
35th (1)	**MECKLENBURG** (Clear Creek, Matthews 1, 2, 3, 4, Mint Hill 1, 2, 3, Pineville, Providence 1, 2, 3, Charlotte Precincts: 8, 19, 32, 36, 47, 48, 65, 66, 67, 68, 69, 70, 71, 72, 74, 83, 85, 86, 88, 90, 91, 93 (part), 94, 96, 100, 102).
36th (1)	**WAKE** (Bartons Creek 1, 2, Cary 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, House Creek 2, 3, 4, 5, 6, Leesville 2, Meredith, Neuse 1, 2, New Light 1, St. Marys 5, Swift Creek 1, 2, 3, 4, White Oak 1).

DISTRICTS (Seats)	COUNTIES Townships, Precincts, Census Tracts, Block Groups
37th (1)	**CLEVELAND** (Bethware, Boiling Springs, Casar, Grover, Holly Springs, East Kings Mountain, West Kings Mountain, Lattimore, Mooresboro–Youngs, Mulls, Pearl, Shanghai, Shelby 1, 2, 3, 5, 6, 7, Waco); **RUTHERFORD.**
38th (1)	**DAVIDSON**(Alleghany,Arcadia,Denton,Emmons,Hampton,Healing Springs, Holly Grove, Jackson Hill, Lexington 3, Liberty, Midway, Reeds, Reedy Creek, Silver Valley, Thomasville 1, 2, 3, 4, 5, 7, 9, 10, Welcome, Yadkin College); **DAVIE; FORSYTH** (Clemmonsville 2, 3); **ROWAN** (Barnhardt Mill, Bostian Crossroads, N. China Grove, Faith, Gold Knob, Granite Quarry, Morgan I, II, Rockwell, Sumner).
39th (1)	**GASTON** (Alexis, Belmont 1, 2, 3, Catawba Heights, Cramerton, High Shoals, Forest Heights, Gaston Day, South Gastonia, Lucia, Mt. Holly 1, 2, New Hope, Southpoint, Stanley 1, 2, Union); **IREDELL** (Bethany, Chambersburg, Coddle Creek 4, Concord, Davidson, Fallstown, Sharpesburg, Shiloh, Statesville 1, 2); **LINCOLN** (Denver, Iron Station, Salem, Westport).
40th (1)	**MECKLENBURG** (Crab Orchard 1, Charlotte Precincts: 1, 2, 3, 5, 6, 7, 9, 10, 15, 17, 18, 20, 21, 28, 29, 30, 33, 34, 35, 37, 38, 43, 44, 45, 46, 49, 51, 61, 62, 63, 64, 84, 95, 104.)
41st (1)	**CUMBERLAND** (Beaver Lake, Cottonade, Cross Creek 1, 2, 3, 5, 6, 13, 16, 17, 19, 24, Eastover, Morganton Road 1, 2, Spring Lake, Seventy First 1, Westarea).
42nd (1)	**BUNCOMBE** (Broad River, Fairview, Limestone 2); **CHEROKEE; CLAY; GRAHAM; HAYWOOD**(Townships: Cecil, Pigeon); **HENDERSON** (Bat Cave, South Blue Ridge, Bowmans Bluff, Crab Creek, Edneyville, Etowah, Flat Rock, Fletcher, Green River, Grimesdale, Hoopers Creek, Horse Shoe, Laurel Park, Northwest Park Ridge, Raven Rock, Rugby, Southeast, Southwest, Valley Hill); **JACKSON** (Township: Cashiers); **MACON** (Townships: Burningtown, Cartoogechaye, Ellijay: **Tract 9706**: Block Group 2 [211A], Flats, Franklin: **Tract 9703**: Block Group 6 [606B, 607C, 609B, 612B, 612C, 612D, 613–618, 619A, 619B, 620, 621, 624–631, 632A, 632B, 633A, 633B], Block Group 8 [829–831, 832B], **Tract 9707**: Block Group 1 [101–109, 110B], Block Group 2 [201A, 201B, 201C, 202A, 202B, 202C, 202D, 203, 204, 208, 209], Highlands, Millshoal, Nantahala, Smiths Bridge, Sugar Fork: **Tract 9706**: Block Group 3 [301E, 304B, 337B, 339B, 340B, 343–369]); **POLK; TRANSYLVANIA** (Townships: Catheys Creek, Dunns Rock, Eastatoe, Gloucester, Hogback, Little River).

SENATE RESOLUTIONS
SECOND SESSION 1996

Adopted May 29, 1996 (See page 68)

S.R. 1398, A SENATE SIMPLE RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENTS OF THE GOVERNOR'S APPOINTMENTS TO THE BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.

Submitted June 20, 1996 (See pages 228, 238)

S.R. 1494, A SENATE SIMPLE RESOLUTION EXPRESSING THE WILL OF THE SENATE TO REMAIN IN SESSION AND CONTINUE TO WORK WITHOUT A *PER DIEM* EXPENSE ALLOWANCE UNTIL A RESPONSIBLE BUDGET AGREEMENT IS REACHED.

Whereas, it is the duty and responsibility of the duly elected members of the General Assembly to provide for the needs and allocate the resources of the State of North Carolina; and

Whereas, progress is being made in negotiating a budget between the House and Senate, but a final agreement has not yet been reached; and

Whereas, there are critical issues, such as providing adequate resources to support the increased Average Daily Membership in our public schools, addressing school bonds, ensuring school safety, protecting the purity of our waters, reducing taxes for families and businesses, and building and staffing State prisons, which must be resolved in the best interests of the people of North Carolina;

Now, therefore, be it resolved by the Senate:

Section 1. The Senate of North Carolina is prepared to remain in Session and continue to work, and to waive its *per diem* expense allowance, until a responsible budget agreement has been reached.

Sec. 2. This resolution is effective upon adoption.

SENATE JOINT RESOLUTIONS
SECOND SESSION 1996

June 10, 1996 (See page 120)

S.J.R. 1485, A JOINT RESOLUTION HONORING THE MEMORY OF JAMES GORDON HANES, JR., FORMER STATE SENATOR AND INDUSTRIALIST.

Whereas, James Gordon Hanes, Jr., a native and lifelong resident of Winston–Salem, industrialist, legislator, philanthropist, and civic leader, died on August 31, 1995, at the age of 79; and

Whereas, in the passing of James Gordon Hanes, Jr., North Carolina and Forsyth County lost one of its most beloved and respected citizens; and

Whereas, James Gordon Hanes, Jr. was born on March 3, 1916, to James Gordon and Emmie Drewry Hanes; and

Whereas, James Gordon Hanes, Jr. graduated from Yale University in 1937, with a Bachelor of Arts degree; and

Whereas, James Gordon Hanes, Jr. began working at Hanes Hosiery Mills Company, the family–owned business, in 1939; and

Whereas, James Gordon Hanes, Jr. worked for the company for 40 years, retiring as Chair and Chief Executive Officer of the Hanes Corporation, the parent company of P.H. Hanes Knitting Company and Hanes Hosiery Mills Company; and

Whereas, James Gordon Hanes, Jr. served with distinction as a member of the North Carolina State Senate for two terms during the 1963 and 1965 Sessions of the General Assembly; and

Whereas, during his tenure in the General Assembly, James Gordon Hanes, Jr. actively supported conservation and environmental protection issues and an increase in the minimum wage; and

Whereas, James Gordon Hanes, Jr. served his community, State, and country in many worthwhile capacities, devoting his time, talents, and energy on numerous boards, commissions, and committees on the local, State, and national levels; and

Whereas, many organizations including civic and cultural organizations, as well as underprivileged students, benefitted from James Gordon Hanes, Jr.'s great but humble philanthropy; and

Whereas, as a major benefactor of the North Carolina Museum of Art through his signal contributions of works of art to its galleries and also through his efforts to build the new facility for that museum, James Gordon Hanes, Jr. has graced the lives of generations yet unborn; and

Whereas, James Gordon Hanes, Jr. was an advocate of equal opportunity who sought to improve race relations; and

Whereas, James Gordon Hanes, Jr. was a devoted member of the Centenary United Methodist Church; and

Whereas, James Gordon Hanes, Jr. was respected, admired and loved by those who knew him and had the privilege to work with him; and

Whereas, James Gordon Hanes, Jr. is survived by his wife, Helen Greever Copenhaver Hanes, his daughter, Margaret Drewry Hanes Nostitz, two sons, James G. Hanes, III and Eldridge C. Hanes, and six grandchildren;

Now, therefore, be it resolved by the Senate, the House of Representatives concurring:

Section 1. The General Assembly honors the life and memory of James Gordon Hanes, Jr. and expresses the deep gratitude and appreciation of this State and its citizens for his life and service.

Sec. 2. The General Assembly extends its sympathy to the family and friends of James Gordon Hanes, Jr.

Sec. 3. The Secretary of State shall transmit a certified copy of this resolution to the family of James Gordon Hanes, Jr.

Sec. 4. This resolution is effective upon ratification.

June 17, 1996 (See page 162)

S.J.R. 1489, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF NANCY WINBON CHASE, FORMER STATE LEGISLATOR.

Whereas, Nancy Winbon Chase was born on a farm in Wayne County on October 12, 1903, to Robert Edward Winbon and Kate Davis Winbon; and

Whereas, Nancy Winbon Chase graduated from Fremont High School in 1921; and

Whereas, Nancy Winbon married John B. Chase on January 27, 1922, and was the mother of two sons, John B. Chase, Jr. and Thomas Edward Chase; and

Whereas, Nancy Winbon Chase served as Chair of the North Carolina Farm Bureau Women for 10 years; she received in 1956, the Bureau's Award for Distinguished Service to Agriculture; and was honored in 1964 by the Progressive Farmer magazine as the "South's Most Outstanding Woman of the Year"; and

Whereas, Nancy Winbon Chase's devotion to her community and State are evidenced by her participation on numerous boards, organizations, and committees including the Board of Directors of the North Carolina Farm Bureau Federation, the North Carolina Farm Bureau Tobacco Advisory Committee, the Wayne County Mental Health Association Board, the Wayne County Area Mental Health Board, the Board of North Carolina Mental Health Foundation, the Eureka School Board, the Charles B. Aycock School Board, the Board of Trustees of Wayne Community College, the Board of Trustees of Louisburg College, the Advisory Committee of the North Carolina School of Nursing, the Goldsboro Area Chamber of Commerce, the Wayne County Sheltered Workshop Committee, the Governor's Study Commission on the Education and Employment of Women, the Governor's Study Committee on Architectural Barriers, and the Charles B. Aycock Birthplace Committee; and

Whereas, Nancy Winbon Chase was a devoted member of the Democratic Party; in 1962, she was named Democratic Woman of the Year in Wayne County, and was also Democratic Woman of the Third District; and in 1964, she was named Democratic Woman of the Year for the State; and

Whereas, in 1962, Nancy Winbon Chase was elected as the first woman from Wayne County to serve in the State House of Representatives; and

Whereas, during her 16–year tenure in the General Assembly, Nancy Winbon Chase was a very effective legislator and was a particularly strong advocate of mental health and education issues; and

Whereas, Nancy Winbon Chase was held in high esteem by her colleagues in the General Assembly until her retirement in 1978; and

Whereas, in recognition of her devoted service and dedication to many causes, Nancy Winbon Chase was honored with numerous awards throughout her lifetime. The awards and honors she received include "Nancy Chase Day" at Eureka Elementary School in 1990, the "Honor of the Order of the Long Leaf Pine" in 1985, the North Carolina Award for Outstanding Public Service in 1982, the Irene McCain McFarland Award for outstanding services in Mental Health in 1973, the Paul B. Smith Distinguished Citizen Award by the North Carolina Council of Child Psychiatry in 1971, and the Distinguished Service Award from the Arthritis Foundation in 1969; and

Whereas, Nancy Winbon Chase's papers and pictures were chosen for inclusion in the Southern Historical Collection in the Wilson Library at the University of North Carolina at Chapel Hill in 1982; and

Whereas, Nancy Winbon Chase was a member of the Eureka United Methodist Church, where she served in many capacities, including as a Sunday School teacher for many years; and

Whereas, Nancy Winbon Chase was an Honorary Life Patron of the Women's Society of Christian Service; and

Whereas, with the passing of Nancy Winbon Chase on November 2, 1994, at the age of 91, the State of North Carolina lost one of its most beloved and respected citizens; and

Whereas, Nancy Winbon Chase is survived by two daughters–in–law, Janice Sasser Chase of Eureka and Jean Cox Chase of Hilton Head, South Carolina; a grandson, Johnny Chase of Eureka, three granddaughters, Nancy Chase of

Decatur, Georgia, Jeanie Chase of Columbia, South Carolina, and Lu Chase Massey of Eureka; a grandson–in–law, and two great–grandchildren;

Now, therefore, be it resolved by the Senate, the House of Representatives concurring:

Section 1. The General Assembly expresses its deep appreciation for the life and accomplishments of Nancy Winbon Chase and for the great service she rendered to the State, Wayne County, and her community.

Sec. 2. The General Assembly wishes to express its sorrow upon the loss of an outstanding citizen of the State and wishes to express its sympathy to the family of Nancy Winbon Chase.

Sec. 3. The Secretary of State shall transmit a certified copy of this resolution to the family of Nancy Winbon Chase.

Sec. 4. This resolution is effective upon ratification.

June 21, 1996 (See page 238)

S.J.R. 1495, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF GOVERNOR JOHN MOTLEY MOREHEAD ON THE TWO HUNDREDTH ANNIVERSARY OF HIS BIRTH.

Whereas, the State of North Carolina has benefitted greatly from the life and legacy of service that John Motley Morehead left to all the people of this State; and

Whereas, John Motley Morehead, the eldest son of John and Obedience Motley Morehead, was born on July 4, 1796, in Pittsylvania County, Virginia; and

Whereas, at the age of two, John Motley Morehead's family moved to Rockingham County, North Carolina; and

Whereas, after graduating from the University of North Carolina in 1817, John Motley Morehead began to study law, later practicing law in Rockingham and Guilford Counties; and

Whereas, John Motley Morehead married Ann Eliza Lindsay in 1821, and was the father of eight children: Letitia Harper Morehead, Mary Corinna Morehead, Ann Eliza Morehead, Mary Louise Morehead, Emma Victoria Morehead, John Lindsay Morehead, James Turner Morehead, and Eugene Lindsay Morehead; and

Whereas, John Motley Morehead settled his family in Guilford County and erected his "Blandwood" home in 1825, which is preserved as a National Historic Landmark; and

Whereas, John Motley Morehead was a true statesman, serving in the House of Commons in 1821, 1826, 1827, and 1858, in the Senate in 1860, in the Provisional Congress and the Peace Conference in 1861, and as a delegate to the State Constitutional Convention in 1835; and

Whereas, John Motley Morehead served as Governor of North Carolina from 1841 to 1845; and

Whereas, John Motley Morehead was an advocate of a system of free public schools and it was during his tenure as Governor that the State established its first public school system; and

Whereas, John Motley Morehead served as a Trustee of the University of North Carolina for 38 years; and

Whereas, John Motley Morehead's other noted accomplishments include:

– The founding of the Edgeworth Female Seminary, a privately owned school for women in Greensboro;

– The founding of the North Carolina Railroad of which he served as its first president;

– The establishment of the first cotton mill in Rockingham County;

– The founding of a deepwater port on the coast of North Carolina that was named Morehead City in his honor;

– The establishment of the Governor Morehead School in Raleigh;

– The introduction of bills to improve the living conditions of slaves and also of a bill granting emancipation to slaves under certain conditions prior to the Civil War; and

Whereas, John Motley Morehead died on August 27, 1866; and

Whereas, on the 200th Anniversary of John Motley Morehead's birth, it is fitting that the General Assembly honors his life and memory by recognizing the many benefits bestowed to North Carolina due to the great leadership and accomplishments of Governor John Motley Morehead;

Now, therefore, be it resolved by the Senate, the House of Representatives concurring:

Section 1. The General Assembly honors the life and memory of John Motley Morehead. The General Assembly urges the citizens of this State to participate in all activities marking the 200th Anniversary of John Motley Morehead's birth.

Sec. 2. A copy of this resolution shall be transmitted by the Secretary of State to the family of John Motley Morehead.

Sec. 3. This resolution is effective upon ratification.

REMARKS
COLONEL WILLIAM S. McARTHUR, JR.

June 17, 1996 (See page 164)

By Senator Parnell:

"Mr. President, it is my very great pleasure to present to you Colonel William S. McArthur, Jr., a native of Red Springs, North Carolina. He is a product of the public schools of Red Springs and is a graduate of the United States Military Academy at West Point.

"Colonel McArthur became an astronaut in July, 1991, and since that time has held various assignments within the astronaut office. He served in 1993 as a mission specialist on the seven–person Life Science Research Mission aboard the space shuttle, *Columbia.* This record duration fourteen–day space shuttle mission has been recognized by NASA management as one of the most successful space flights that NASA has flown. Most recently, Colonel McArthur served as a mission specialist on NASA's second space shuttle mission to rendezvous and dock with the Russian space lab. The mission was launched on November 12, 1995, and landed at Kennedy Space Center on November 20, 1995.

"Mr. President, we in Robeson County are extremely proud of the accomplishments of Colonel McArthur, and I respectfully request that you welcome him and afford him the privilege of addressing the North Carolina Senate."

By Lieutenant Governor Wicker:

"Colonel McArthur, you are certainly welcome to this august Body and we certainly would invite you to make a few remarks to the North Carolina Senate."

By Colonel McArthur:

"Thank you, Mr. President. Mr. President, Senator Parnell, ladies and gentlemen of the Senate, guests upstairs in the gallery—it's always wonderful to come

back to North Carolina. My wife and I are native North Carolinians; only have left the State because, then, Senator Lyndon B. Johnson happened to be from Texas instead of North Carolina and so the manned space flight center wound up in a place that gets even hotter in the summer than it does here.

"But, we always love being back in North Carolina—and it really struck me as we were driving—we drove over to Winston–Salem this morning and back, and I must tell you that North Carolina has the most wonderful license plates in the world. I mean, 'First in Flight' and a little silhouette of the Wright Brothers' flyer. What a wonderful thing. To me, professionally, there is nothing more gratifying than to think that humankind learned to begin to break the bond of gravity right here on the Outer Banks of North Carolina. And, a lot of North Carolinians carry on that proud tradition today, in the not too distant past, we have even had gentlemen such as Charlie Duke, who walked on the moon as—with *Apollo 16* and today we have folks such as Air Force Lieutenant Colonel Curt Brown who was a pilot on his third space shuttle mission just last month on board *Endeavor.* Curt is from Elizabethtown, North Carolina. Those of you who have been to Elizabethtown, yeah, that's the guy whose picture is on the side of the building.

"You may not be aware, but three days from now, Navy Commander Chuck Brady, who calls Robbins, North Carolina his home, will be flying on his first mission on board *Columbia.* Well, how is it that folks like Chuck, Curt, and I wind up in the space program? How is it that I would, you know, as a kind of tall, skinny kid wearing glasses growing up on a cotton and tobacco farm in Robeson County, ever wind up being in space? It really does seem like kind of a big stretch. So, how do you do that? Well, I kind of, like, sort of adopt something that the First Lady, Hillary Clinton, is fond of using today, when she says, 'It takes a village to raise a child.' You know there is a little bit of controversy behind that phrase; people try to decide what it means and to me, especially looking at my upbringing, the meaning is really quite clear. You don't grow up as a young person, I think, and just, in a vacuum, decide that you are going to go off and do something rather interesting such as fly in space; it takes your entire community, your family, and your extended family to raise you with the skills and the motivation; to raise you with, to have—you know if there is such a thing as the right stuff—to raise you with the right stuff to give you those tools that will allow you to be successful.

"And so, today I would like to thank this august Body, the Senate of North Carolina, I would like to thank you for the leadership that you have shown that results in small communities like Red Springs, and actually where I am from, which is even smaller than Red Springs, a little community called Wakulla. It hasn't been blessed with any stoplights yet. But where you have, not just being raised by your parents, but if you walk out on the street, you know that if you are doing something wrong, the barber is just as likely to come out and correct you on the spot as he is to call your parents and tell them that you are misbehaving. That you are being brought up, not just by your immediate family, but by your extended family, by your neighbors, by your friends. Where your teachers don't just teach during the day and then not see you at night, at the end of the school year, you know that you are going to see your teachers during the summer and they are going to ask what you are doing. That you've been raised and taught by your entire community, which I think, is a true 'Tarheel' spirit.

"So I would like to thank you all for the leadership you've shown and as a token of my esteem, I would like to present this montage, which includes several pictures taken on my last space flight and my favorite picture of all those, and I think you will understand the symbolism, is the one that is in the lower right–hand corner. People often ask what is the most—what's the thing you enjoy most from space, and I think we all enjoy most from outer space, looking down on this beautiful

planet we call Earth and there is no doubt the favorite place that I have to look on Earth is right here in North Carolina, and here in this picture you can see eastern North Carolina to include the Outer Banks where humankind first learned to fly. Also on board the montage is a miniature North Carolina flag and a crew patch both of which flew on board *Atlantis* with us, 3.4 million miles, 129 orbits to the Earth and no—no frequent flyer mileage. (Laughter) Thank you, very much." (Applause)

By Senator Basnight:

"Mr. President. Mr. President, prior to you giving our famous flag, could I ask the astronaut a question? I'm from the Outer Banks and I represent the Outer Banks and I represent the area of First in Flight and I, like you, am still amazed at what happened there, but could I ask—the picture taken in the corner, was it one you took or was it one that Michael Cooper took?"

By Colonel McArthur:

"No, sir, I'm going to have to claim credit for that one. As a matter of fact, the crew got quite upset when we got back to Earth and were examining the pictures when they saw all the pictures I had taken of this great State, they thought that surely ten or twenty would have been enough, but I was going to make sure."

By Senator Basnight:

"To help the Members of the Body, Michael took the famous photograph while on *Apollo 13*, I believe it was, and after seeing the Outer Banks, he looked down and he wanted to go there and see what was there, the little strip of land. And, not only did he go there, he resides there now—his second home."

By Lieutenant Governor Wicker:

"Colonel, on behalf of the North Carolina Senate; the President *Pro Tempore*, Marc Basnight and the Deputy President *Pro Tempore*, Senator Soles; the Majority Leader, Senator Conder; and Minority Leader, Senator Cochrane; it is with a great deal of pleasure that we have you here today, and if I might, I'd like to recognize some of your family and guests who are here. With Colonel McArthur are some family and friends. We have with him: Cindy McArthur, his wife; Bill Avant, step–father; Mable Lovin, mother–in–law; Bill Lovin and Javeta Mask, brother–in–law and wife; Tim and Shawna Lovin, brother–in–law and wife; Ryan and Graham Lovin, nephews; Francis McNeill, who is a family friend from Red Springs; and Dr. George Stephenson. I believe they are seated to my left, and I certainly want you to know the North Carolina Senate welcomes you as well and we are certainly proud of our native son. (Applause)

"Now, I would simply note, Colonel, that most of us also know that that wonderful story that you told about extended family, and small town, and village raising a child rings true; but we also know that one of the reasons that you end up being an astronaut is because you wanted to get the best education you could after picking cotton and priming tobacco. And, you probably wanted to get as far away from it as you possibly could.

"But, I want you to know, on behalf of the Senate, we want to present you with this certificate, and if we could, I'd like to read it to you: 'From the State of North Carolina, be it all known that the Senate of the North Carolina General Assembly, upon the recommendation of Senator David R. Parnell, present this certificate of acknowledgment and congratulations to Colonel William Surles "Bill" McArthur, Jr., Distinguished North Carolina Citizen and NASA Astronaut, Johnson Space Center, in recognition of your many accomplishments in the field of aeronautics, notably the Space Shuttle Columbia Research Mission, this the 17th

day of June, 1996, signed by Sylvia Fink, the Principal Clerk, witnessed by me as President of the Senate, and R.C. Soles, the Deputy President *Pro Tempore* on behalf of Senator Marc Basnight, who is the President *Pro Tempore* of the Senate. We wish to give that to you along with a State flag, which we know that you are proud of, but we certainly know, that you are as proud of this State flag as we are of you. Congratulations and best of success henceforth. Thank you, very much."

By Colonel McArthur:

"Thank You!" (Applause)

By Lieutenant Governor Wicker:

"Senator Basnight, I trust that that might be able to be hung in the halls of the archives up in the gallery and we certainly appreciate the gift from Colonel McArthur."

EXECUTIVE ORDERS of the GOVERNOR OF THE STATE OF NORTH CAROLINA

Executive Orders issued by the Office of the Governor of the State of North Carolina received, in compliance with G.S. 147–16.1, by the Senate Principal Clerk following adjournment *sine die* of the First Extra Session of the 1995 General Assembly on February 21, 1996 through adjournment *sine die* of the 1996 Second Regular Session of the 1995 General Assembly on June 21, 1996, are summarized.

The full text of Executive Orders 94 through 96 issued by Governor James B. Hunt, Jr., can be found in the *Session Laws of the 1995 General Assembly, Second Session 1996.*

Executive Order	Title	Date of Issuance

94 Establishing the North Carolina Alliance for CompetitiveTechnologies (NC ACTs) February 26, 1996

Establishes: Alliance to apply innovation, technology and technical resources to promote economic growth in the State by organizing existing and developing additional resources. **Board of Directors:** twenty–six persons appointed by Governor from public/private sectors; nine from educational institutions, government, and non–profit institutions; thirteen from private sector. **Terms:** Chair/Vice–Chair three–year terms. **Members:** one–year term; subsequent terms staggered three–years. One director to represent non–profit sector. Speaker/President *Pro Tempore* nominate one Democrat/one Republican Senator. Duties: Board advise Governor/General Assembly of approved policies, regulations, and by–laws necessary to operate; oversee plans, studies, and performance standards; and implement procedures to insure cooperation within State government. **Funding:** Federal/State matching funds. Housed in Department of Commerce; oversight from Office of the Governor. **Rescinds:** Executive Orders No. 63 and No. 80. **Effective:** immediately.

95 Council on Health Policy Information April 24, 1996

Establishes: Council; Pleasure of Governor. **Membership:** State Health Director; Governor's Advisor for Policy, Budget, and Technology; Human Resources Department: Division Directors of Medical Assistance, Aging, Social Services, Facility Services, Mental Health, Developmental Disabilities, and Substance Abuse; Maternal and Child Health (DEHNR); Directors of: State Planning Office (Governor), Office of Rural Health and Resources Development (DHR), Health Policy Unit—Cecil G. Sheps Center for Health Services Research (UNC–CH), State Center for Health and Environmental Statistics (DEHNR); State Budget Officer (Governor); Chairs: State Health Coordinating Council (DHR), Commission for Health Services (DEHNR), Minority Health Advisory Council (DEHNR); Executive Directors: North Carolina Health Care Reform Commission, North Carolina Association for Home Care, North Carolina Association of Long–Term Care Facilities, North Carolina Partnership for Children, Inc., State

Health Plan Purchasing Alliance Board; Presidents of: North Carolina Health Care Facilities Association, North Carolina Association of Local Health Directors, North Carolina Hospital Association, North Carolina Medical Society, Old North State Medical Society, North Carolina Citizens for Business and Industry, North Carolina Child Advocacy Institute; Two representatives of certified statewide data processors and two representatives of private insurance; One member of House recommended by Speaker; One member of Senate recommended by President *Pro Tempore*; Commissioners of Insurance and Labor. **Chair/Assistant Chair** selected by membership. **Function:** Submit State Health Data Plan to enhance database health policy–making through improved statistics and information systems and institutionalize process for collaborative policy formulation and implementation. **Funding:** Robert Wood Johnson Foundation Grant administered by DEHNR pursuant to Executive Budget Act. **Effective:** immediately. Continuation/renewal with availability of funds.

96 Task Force on Racial or Religious Violence and Intimidation June 14, 1996

Establishes: Task Force to establish uniform statewide system for reporting, recording, responding, and supporting churches and institutions which are victims of arson, vandalism, and bomb threats. Establish central location for collection, analysis, dissemination of data relating to racial/religious violence; research policies, procedures/laws relative to hate groups, racially motivated violence, and intimidation. Recommend changes, educate, coordinate, encourage, and facilitate cooperation between public and law enforcement; other duties assigned by Governor. Task Force works with Human Relation Commission and Department of Justice. **Membership:** Twenty–one: Attorney General, Secretary of Crime Control and Public Safety, Director—SBI, Chair—Human Relations Commission, Chair—Martin Luther King, Jr. Commission, and sixteen appointed by Governor from categories: District Attorney, U.S.Attorney, police chief, sheriff, Senator, Representative, FBI, Bureau of Alcohol, Tobacco and Firearms, four ministers, four citizens, at–large. **Chair:** Attorney General; Vice–Chair appointed by Governor. Administrative Support: Human Relations Commission and Department of Justice. **Effective:** immediately. **Expires:** December 31, 1996.

MEDICAL SOCIETY

DOCTOR OF DAY PROGRAM

The following physicians serving were not present in the Chamber for recognition:

June 17, 1996
Dr. Paul M. Abernethy, Raleigh

June 21, 1996
Dr. Peter J. Morris, Raleigh

APPOINTMENTS

SHARED BY
THE LIEUTENANT GOVERNOR
AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The following appointments to Boards, Commissions and Committees were made during 1995 and 1996 by the President of the Senate, the Honorable Dennis A. Wicker, Lieutenant Governor, and the Honorable Harold J. Brubaker, Speaker of the House of Representatives (confirmed by documents on file).

Chapters 488 and 493 of the 1995 Session Laws were enacted in compliance with G.S. 120–121 which outlines the procedure for legislative appointments. Vacancies occurring in legislative appointments are addressed in G.S. 120–122.

Appointments prior to 1993 were made by a former Lieutenant Governor and prior to 1995 by a former Speaker but remain in effect.

		Appointed	Expires
AGING, GOVERNORS ADVISORY COUNCIL		Term–four years/staggered	
G.S. 143B–181—see also Ch. 490, Sec. 3, 1995 S.L. (SB 901)			
(Lt. Gov.)	Mrs. Pocahontas S. White* (**Resigned**)	7/1/94	6/30/98
	Hon. Helen Moody Buckner* [UT—White*]	1/11/95	6/30/98
	Mr. Andy Meredith*	7/1/95	6/30/98
(Speaker)	Mr. Granville Cheek*	7/18/96	6/30/2000
	Dr. John R. Kernodle*	6/21/94	6/30/98
AGRICULTURAL FINANCE AUTHORITY, NORTH CAROLINA			
G.S. 122D–4—see also Ch. 490, Sec. 4, 1995 S.L. (SB 901)		Term–three years	
(Lt. Gov.)	Mr. Terrell C. Boone*	7/1/95	6/30/98
	Mr. Richard Allen Holder*		
	Mr. J. Ray Womble, Jr.*		
(Speaker)	Mr. Gary Hyatt*	7/27/95	6/30/98
	Mr. Zeno Radcliffe III*		
	Mr. J. D. Teachey, Jr.*		
AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION			
G.S. 120–150—see also Ch. 490, Sec. 5, 1995 S.L. (SB 901)		Term–two years	
(Lt. Gov.)	Senator James D. Speed	10/16/95	9/30/97
	Mr. Prince Earl Smith*		
	Hon. Vernon Grant James		
(Speaker)	Rep. Arlie F. Culp	10/1/95	9/30/97
	Rep. John H. Weatherly		
	Mr. W. M. "Dub" Lewis*		
(Statutory)			
(Senate Agriculture Committee Chair) Senator Charles W. Albertson (Co–Ch)			
(House Agriculture Committee Chair) Representative John W. Brown (Co–Ch)			

* Citizen Appointee
[UT]—Filling Unexpired Term

Lieutenant Governor/Speaker Appointments	Appointed	Expires
ALARM SYSTEMS LICENSING BOARD		Term–three years
G.S. 74D–4—see also Ch. 490, Sec. 6, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. Guy John Phillips*	7/1/95	6/30/98
Mr. Thomas Dale Pugh*	7/1/93	6/30/99
(Speaker) Ms. Sylvania Wilkerson*	7/27/95	6/30/98
Mr. W. Ray McLester*	7/19/94	6/30/97
ANDREW JACKSON HISTORIC MEMORIAL COMMITTEE		Term–four years
Ch. 757, Sec. 181, 1985 S.L.—see also Ch. 490, Sec. 7, 1995 S.L. (SB 901)		
(Lt. Gov) Mrs. Thomas P. Dillon*	9/6/85	12/31/89
Mr. Jack Hernig*		
Mr. Charles H. McGee*		
Mr. John T. Wilson*		
Mr. Harry Sherwood*		
Mr. Wylie Neal*		
(Speaker) Mr. Sid Hart*	8/26/85	12/31/89
Mrs. Gladys Kerr*		
Dr. Clifford Lovin*		
Mrs. H. A. Sims*		
Dr. Percial Moses Thomas*		
Mrs. Mary Alice Wilson*		
ARBORETUM, THE NORTH CAROLINA, BOARD OF DIRECTORS		
G.S. 116–243—see also Ch. 490, Sec. 63, 1995 S.L. (SB 901)		Term–four years
(Lt. Gov.) Ms. Carolyn Alexander*	7/1/96	6/30/2000
Mrs. Susan B. Roderick*	7/1/94	6/30/98
(Speaker) Mr. Barney P. Woodard, Jr., ASA*	8/3/92	6/30/96
Mr. Morris McGough*	7/19/94	6/30/98
ART, NORTH CAROLINA MUSEUM OF – BOARD OF TRUSTEES		
G.S. 140–5.13(b)(5)—see also Ch. 490, Sec. 8, 1995 S.L. (SB 901)		Term–two years
(Lt. Gov.) Mrs. Linda Godwin Murphy*	7/1/95	6/30/97
Honorable Terry Sanford*	7/1/95	6/30/97
(Speaker) Mr. Borden Hanes*	7/27/95	6/30/97
Ms. Emily Meymandi*	7/27/95	6/30/97
BANKING COMMISSION, STATE		Term–four years
G.S. 53–92—see also Ch. 490, Sec. 9, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. L. Glenn Orr*	7/1/95	3/31/99
(Speaker) Mr. Frank H. Dunn*	7/27/95	6/30/99
BIOTECHNOLOGY CENTER, NORTH CAROLINA—BOARD OF DIRECTORS		
By–Laws		Term–two years
(Lt. Gov.) Mrs. Sandra Y. Capps*	8/1/95	7/31/97
Rep. Leo Mercer		
Mrs. Joan Pulley*		
Mr. John C. Reilly*		
Mr. Robert Linwood Vick*	10/9/95	7/31/97
(Speaker) Mr. Robert G. Campbell, Ph.D.*	9/20/95	7/31/97
Mrs. Lynn S. Fitzgerald, Ph.D.*		
Mr. James R. Trotter*		
Mr. Skipper Soloman*	9/26/95	7/31/97
Mr. Donald R. van der Vaart*	7/31/96	7/31/97

* Citizen Appointee
[UT]—Filling Unexpired Term

Lieutenant Governor/Speaker Appointments	Appointed	Expires
CAPITAL PLANNING COMMISSION	Term–Coincides with term of Office	
G.S. 143B–374		
(Lt. Gov) (or Designee)		
(See also Appointments of President *Pro Tempore*)		
(Speaker) Speaker Harold J. Brubaker		
Rep. Russell Capps	2/23/95	1/31/97
Rep. Rick Eddins		
Rep. David Miner		
Rep. Arlene Pulley		
CAPITOL PRESERVATION COMMISSION	Term–four years/staggered	
G.S. 143B–80.8—**Repealed**—see Ch. 507, Sec. 12(a), 1995 S.L. (HB 230)		
(Lt. Gov) Mrs. Kaye Barker* (ex–officio)	9/20/94	6/30/98
(See also Appointment of President *Pro Tempore*)		
(Speaker) Hon. William A. Creech*	8/3/94	6/30/96
Mr. Philip G. Freelon*	8/3/94	6/30/98
Hon. Derryl Garner*	8/3/94	6/30/96
CEMETERIES, ADVISORY COMMITTEE ON ABANDONED	Term–four years	
G.S. 143B–128—see also Ch. 490, Sec. 1, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. John Bass*	5/19/93	6/30/97
(Speaker) Rep. Howard J. Hunter	9/20/95	6/30/99
CHILD DAY–CARE—see **DAY–CARE**		
CHIROPRACTIC EXAMINERS, STATE BOARD OF		
G.S. 90–139(b)—see also Ch. 490, Sec. 11, 1995 S.L. (SB 901)		
(Lt. Gov)(Term–Three years)		
Dr. Etheridge Eugene Alligood*	7/1/95	6/30/98
(Speaker)(Term–Two years)		
Dr. John T. Tierney*	7/27/95	6/30/97
CODE OFFICIALS QUALIFICATION BOARD, NORTH CAROLINA	Term four–years/staggered	
G.S. 143–151.9—see also Ch. 490, Sec. 12, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. James D. Kennedy, Jr.*	7/1/95	6/30/99
Mr. Kenard M. Knust*	7/1/96	6/30/2000
Mr. Tai Y. Lee* (**Deceased**)	7/6/93	6/30/97
Mr. Rick Lee* [**UT**—T.Lee]	1/7/94	6/30/97
Mrs. Barbara H. Mulkey*	7/1/94	6/30/98
(Speaker) Mr. C. Neil Styers*	10/15/93	6/30/97
Mr. Charles England*	10/15/93	6/30/97
Mr. D. Edwin Rose*	6/30/95	6/30/99
Mr. Nathaniel Ellis Cannady III*	10/3/96	6/30/2000
COMPREHENSIVE MAJOR MED. PLAN, TEACHER'S AND STATE EMPLOYEES'—see **MAJOR MEDICAL PLAN**		
COSMETIC ART EXAMINERS, STATE BOARD OF	Term three–years	
G.S. 88–13—see also Ch. 490, Sec. 13, 1995 S.L. (SB 901)		
(Lt. Gov.) Mrs. Helen Pollard–Frazier*	7/1/96	6/30/99
(Speaker) Mr. James Ray Smith*	7/27/95	6/30/97

* Citizen Appointee
[UT]—Filling Unexpired Term

Lieutenant Governor/Speaker Appointments	Appointed	Expires
CRIME VICTIMS COMPENSATION COMMISSION		Term–four years
G.S. 15B–3(a)—see also Ch. 490, Sec. 14, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. Mark Donaldson*	7/1/95	6/30/99
(Speaker) Mr. Louis Pippin*	7/27/95	6/30/99
CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION		
G.S. 17C–3—see also Ch. 490, Sec. 15, 1995 S.L. (SB 901)		Term–two years
(Lt. Gov.) Mr. R. Lee Farmer*	7/1/95	6/30/97
(Speaker) Mr. Bill Anderson*	7/27/95	6/30/97
CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD, STATE		
Term–three years/staggered		
G.S. 143B–272.6		
(Lt. Gov) Mr. David "Crockett" Long*	7/1/95	6/30/98
Mr. Terry Sherrill*	7/1/96	6/30/99
Mrs. Kathy Hodges*	7/1/96	6/30/99
(See also Appointments of President *Pro Tempore*)		
(Speaker) Rep. Bertha M. Holt	6/21/94	6/30/97
Mr. Darrell Hancock*	1/18/94	6/30/96
Mr. Buster Robertson*	7/1/95	6/30/98
DAY–CARE COMMISSION OF THE DEPARTMENT OF HUMAN RESOURCES		
		Term two–years/staggered
G.S. 143B–168.4—see also Ch. 490, Sec. 10, 1995 S.L. (SB 901)		
(Lt. Gov.) Mrs. Debra Mull Harrill*	7/1/96	6/30/98
Ms. Diana Jones Wilson*	7/1/96	6/30/98
Mrs. Rebekah Beerbower*	7/1/95	6/30/97
Mrs. Anita C. McCorkle*	7/1/95	6/30/97
(Speaker) Mr. Jerri Howell*	7/27/95	6/30/97
Ms. Sharon Decker* (**Resigned**)	7/27/95	6/30/97
Mrs. Melinda R. Spencer* [**UT**—Decker]	1/11/96	6/30/97
Mrs. Anne Shumaker* (**Resigned**)	7/31/96	6/30/98
Dr. Fred Darnley*	10/1/96	6/30/98
Mrs. Frances C. Williams* [**UT**—Shumaker*]	10/1/96	6/30/98
DEFERRED COMPENSATION PLAN, NORTH CAROLINA PUBLIC EMPLOYEE		
G.S. 143B–426.24—see also Ch. 490, Sec. 40, 1995 S.L. (SB 901)		Term–two years
(Lt. Gov.) Mr. D. Steven Beam*	7/1/95	6/30/97
(Speaker) Mr. Herbert L. Dawson*	11/8/93	6/30/95
DIETETICS/NUTRITION, NORTH CAROLINA BOARD		
		Term–three years/staggered
G.S. 90–353—see also Ch. 490, Sec. 16, 1995 S.L. (SB 901)		
(Lt. Gov.) Ms. Kim Dove* (**Resigned**)	7/1/94	6/30/97
Ms. Lisa Eberhart [**UT**—Dove*]	11/28/95	6/30/97
Ms. Annette L. Anderson*	7/18/96	6/30/99
(Speaker) Ms. Rebecca S. Freeman*	7/19/94	6/30/97
Mrs. Ann Boney*	7/31/96	6/30/99

* Citizen Appointee
[UT]—Filling Unexpired Term

Lieutenant Governor/Speaker Appointments	Appointed	Expires
DISABILITIES, GOVERNOR'S ADVOCACY COUNCIL ON PERSONS WITH		
G.S. 143B–403.2—see also Ch. 490, Sec. 38, 1995 S.L. (SB 901)	Term–two years	
(Lt. Gov.) Mr. Richard Dallas Clark*	7/1/95	6/30/97
Mr. J. Michael Elder* **(Resigned)**		
Mr. John K. Gallaher*		
Mrs. Jo Anne Jeffries*		
Mr. Jason Reynolds*		
Mr. William M. Simpson*		
Ms. Paula Wilcenski*		
Mr. Jim Scarborough* [UT—Elder*]	7/1/96	6/30/97
(Speaker) Ms. Pat Clapp*	7/27/95	6/30/97
Ms. Laurie M. Collins*		
Ms. Jodi Kopalla*		
Mr. Max V. Krebs*		
Mr. William B. Morris*		
Ms. Sharon Plain*		
Mr. James H. Wells*		
DISABILITY TASK FORCE OF THE DEPARTMENT OF HUMAN RESOURCES		
Ch. 1034, Sec. 64, 1983 S.L.; Ch. 757, Sec. 82, 1985 S.L.		
(Lt. Gov) Mr. Charles McBrayer Sasser*	9/19/85	
(Speaker) Rep. Carolyn Russell	3/10/95	1/30/97
DISCIPLINARY HEARING COMMISSION OF NORTH CAROLINA STATE BAR	Term–three years	
G.S. 84–28.1—see also Ch. 431, Sec. 19 (SB 166); Ch. 490, Sec. 51 (SB 901) 1995 S.L.		
(Lt. Gov.) Mr. Robert B. Frantz*	7/10/95	6/30/98
(Speaker) Mr. James Lee Burney*	6/21/94	6/30/97
ECONOMIC DEVELOPMENT BOARD	Term–four years/staggered	
G.S. 143B–434		
(Lt. Gov) Mr. John McCracken* (Designee)	8/12/94	6/30/97
(See also Appointments of President *Pro Tempore*)		
(Speaker) Rep. Cherie Berry	8/23/95	7/1/99
Rep. Jack Hunt	9/13/93	7/1/97
Rep. H. Mickey Michaux, Jr.	9/13/93	7/1/97
Rep. George S. Robinson	8/23/95	7/1/99
ECONOMIC DEVELOPMENT COMMISSION, SOUTHEASTERN NORTH CAROLINA REGIONAL	Term–four years/staggered	
G.S. 158–8.3	**Report**–by 3/31 Annually	
(Lt. Gov.) Mr. James B. Ollis*	7/1/95	6/30/99
Mr. Charles Gregory Cummings*	6/3/94	6/30/97
(See also Appointments of President *Pro Tempore*)		
(Speaker) Mr. Rod Bullard* **(Resigned)**	2/16/94	6/30/97
Mr. Kermit Williamson* [UT—Bullard*]	3/8/95	6/30/97
Mr. James Allen Cartrette*	2/16/94	6/30/97
Mr. Robert Deese*	2/16/94	6/30/97
Mr. Wyatt G. Upchurch*	7/27/95	6/30/99
Mr. George Rountree III*	7/27/95	6/30/99

* Citizen Appointee
[UT]—Filling Unexpired Term

Lieutenant Governor/Speaker Appointments	Appointed	Expires
ECONOMIC DEVELOPMENT COMMISSION, WESTERN NORTH CAROLINA REGIONAL	Term–four years/staggered	
G.S. 158–8.1—see Ch. 488, Sec. 49, 1995 S.L. (HB 897)	**Report**–by 3/31 annually	
(Lt. Gov.) Mr. W. Thomas Alexander*	1/24/94	6/30/97
Mr. Daniel M. Allison III*	7/1/95	6/30/99
(See also Appointments of President *Pro Tempore*)		
(Speaker) Dr. Harry Jarrett* (**Resigned**)	1/18/94	6/30/97
Mr. Gordon S. Myers*	1/18/94	6/30/97
Mr. Harold Stallcup*	1/18/94	6/30/97
Mr. Marty Kimsey*	9/8/95	6/30/99
Mrs. Ann Robinson*	9/8/95	6/30/99
Mr. R. Tracy Walker*	9/8/95	6/30/99
Mr. John Wellborn*	9/8/95	6/30/99
Mr. Roger Hill* (**UT**—Jarrett)	9/28/95	6/30/97
EDUCATION COMMISSION OF THE STATES	Term–two years	
G.S. 115C–104		
(Lt. Gov.) Senator Linda H. Gunter	8/1/93	6/30/95
(Speaker) Rep. Steve Wood	2/23/95	
EDUCATIONAL FACILITIES FINANCE AGENCY	Term–four years	
G.S. 115E–4—see also Ch. 490, Sec. 17, 1995 S.L. (SB 901)		
(Lt. Gov.) Dr. LaRose Fulmer Spooner*	5/2/96	4/10/00
(Speaker) Mr. Martin L. Nesbitt, Jr.*	1/20/95	12/31/96
ENVIRONMENTAL MANAGEMENT COMMISSION	Term–two years	
G.S. 143B–283—see also Ch. 490, Sec. 18, 1995 S.L. (SB 901)		
(Lt. Gov) Mr. Robert Epting*	7/1/95	6/30/97
Hon. Jeffrey V. Morse*	7/1/95	6/30/97
(Speaker) Ms. Carla DuPuy*	7/27/95	6/30/97
Mr. Doug Boykin*		
FARMERS MARKET COMMISSION, NORTHEASTERN NORTH CAROLINA	Term–four years/staggered	
G.S. 106–720		
(Lt. Gov.) Dr. Edmund Estes*	7/15/88	6/30/92
Mr. Tom H. Shepherd*	7/15/88	6/30/92
Mr. Sam Walker*	7/16/86	6/30/90
Ms. Grace Bonner*	7/16/86	6/30/90
(Speaker) Mr. M. Wayne Miller*	8/21/87	6/30/92
Mr. Don Baker*	7/16/86	6/30/90
Rev. James M. Johnson*	7/16/86	6/30/90
FARMERS MARKET COMMISSION, SOUTHEASTERN NORTH CAROLINA	Term–four years/staggered	
G.S. 106–727—see also Ch. 490, Sec. 49, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. Wayne Miller*	7/15/88	6/30/92
Mr. J. T. Wellington*	7/15/88	6/30/92
Mr. Durwood Sinclair*	7/16/86	6/30/90
Mr. Al Parker*	7/16/86	6/30/90
(Speaker) Mr. Kermit Williamson*	7/27/95	6/30/98
Mr. Lee Stevens*	7/27/95	6/30/98
Mr. Joe H. Hege, Jr.*	7/31/96	7/1/99
Mr. McKeithan Jones*	7/31/96	7/1/99

* Citizen Appointee
[UT]—Filling Unexpired Term

Lieutenant Governor/Speaker Appointments	Appointed	Expires
FARMWORKER COUNCIL, NORTH CAROLINA		
	Term–Pleasure of appointive authority	
G.S. 143B–426.25—see also Ch. 490, Sec. 19, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. Harry Thomas Gray*	7/1/95	
Mr. P.E. Bazemore*		
(Speaker) Rep. Frances McArthur Cummings	8/29/95	6/30/97
Rep. Don Davis		
FIRE AND RESCUE COMMISSION, STATE	Term–three years	
G.S. 58–78–1—see also Ch. 490, Sec. 20, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. Hiram Brinson*	7/1/96	6/30/99
(Speaker) Mr. Bennie Scarboro*	10/1/95	9/30/98
HEALTH INSURANCE TRUST COMMISSION, NORTH CAROLINA		
	Term–three years/staggered	
G.S. 58–68–10—see also Ch. 490, Sec. 22, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. Dennis R. Barry*	8/24/87	6/30/90
Dr. Charles E. Cook*	7/15/88	6/30/91
Mr. Roger W. Isaac*	8/14/89	6/30/92
Mr. Kenneth E. Morris III*	8/14/89	6/30/92
(Speaker) Mr. Shannon Brown*	8/26/87	6/30/91
Mr. John R. Griffin, Jr.*	8/21/89	6/30/92
Dr. Blair Harrold*	7/31/90	6/30/93
Dr. Michael L. Steiner*	7/13/88	6/30/91
HEALTH PLAN PURCHASING ALLIANCE BOARD, STATE		
G.S. 143–625	Term–four years/staggered	
	Report–by 1/1/95—Annually thereafter	
(Lt. Gov) Lt. Governor Dennis A. Wicker		
(See also Appointments of President *Pro Tempore*)		
(Speaker) Ms. Juanita P. Pilgrim*	9/28/93	7/1/97
Mr. G. Gordon Greenwood*	9/28/93	7/1/97
Mrs. Peggy Anne Vaughan*	10/25/95	6/30/97
HOLOCAUST, NORTH CAROLINA COUNCIL ON THE	Term–two years	
G.S. 143B–216.21—see also Ch. 490, Sec. 23, 1995 S.L. (SB 901)		
(Lt. Gov.) Dr. Michael Bassman*	11/9/95	6/30/97
Dr. David M. Crowe*	11/9/95	6/30/97
Mr. Joseph Paul Hoffman*	11/9/95	6/30/97
Dr. Burton Allan Horwitz*	7/1/95	6/30/97
Prof. Thomas Michael Kowalick*	11/9/95	6/30/97
Rev. Roosevelt Wilkerson, Jr.*	11/9/95	6/30/97
(Speaker) Mrs. Gizella Abramson*	12/11/95	6/30/97
Mr. Alan Novak*		
Mrs. Maxine Smith*		
Mr. Frederick D. Ullman*		
Mrs. Runia Vogelhut*		
Ms. Marilyn Davidson*	12/13/95	6/30/97

* Citizen Appointee
[UT]—Filling Unexpired Term

Lieutenant Governor/Speaker Appointments	Appointed	Expires
HOUSING FINANCE AGENCY, BOARD OF DIRECTORS	Term–two/four years	
G.S. 122A–4—see also Ch. 490, Sec. 24, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. William Earl Antone, Sr.*	7/1/95	6/30/97
Mr. Walter Clark*	7/20/93	6/30/97
Mrs. Sheila A. Nader*	7/1/95	6/30/99
Mr. William M. Womble*	7/1/95	6/30/99
(Speaker) Mr. Donald B. Barnes*	7/27/95	6/30/97
Mr. William T. Boyd*		
Mr. Todd Houser*		
Mr. James William Oglesby*		
HOUSING PARTNERSHIP, NORTH CAROLINA	Term–three years	
G.S. 122E–4—see also Ch. 490, Sec. 25, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. Melvin "Skip" Alston*	9/1/96	8/31/99
Ms. Fannie M. Corbett*		
Mr. David E. Lanier*		
Ms. Hazel B. Neal*		
Honorable Martha Wood*		
(Speaker) Mr. Dewey Brown*	9/1/94	8/31/96
Mr. Michael D. Calhoun*		
Rev. William D. Crowder*		
Mr. Kenneth Freeman*		
Mr. Abdul Sm Rasheed*		
HUMAN RELATIONS COMMISSION	Term–four years	
G.S. 143B–392—see also Ch. 490, Sec. 15, 1995 S.L. (SB 901)		
(Lt. Gov.) Ms. Carol Laverne Goins*	7/1/94	6/30/98
Mr. James Arthur Jones*	7/1/94	6/30/98
(Speaker) Mr. William N. Chestnut*	9/14/94	6/30/98
Mr. Alphonso H. Pearson*		
INAUGURAL CEREMONIES COMMITTEE		
G.S. 143–533 Term–July 1 election years—seven days after inauguration		
(Lt. Gov.) Lieutenant Governor Wicker (or designee)		
(See also Appointments of President *Pro Tempore*)		
(Speaker) Rep. Marie W. Colton	10/5/92	
Rep. Jack Hunt		
Rep. Annie B. Kennedy		
INDIAN AFFAIRS, NORTH CAROLINA COMMISSION OF	Term–two years	
G.S. 143B–407—see also Ch. 490, Sec. 27, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. Larry Marshal Townsend*	7/1/95	6/30/97
(Speaker) Mr. Ray Little Turtle*	7/27/95	6/30/97
INTERNSHIP COUNCIL, NORTH CAROLINA	Term–Pleasure of appointive authority	
G.S. 143B–418—see also Ch. 490, Sec. 28, 1995 S.L. (SB 901)		
(Lt. Gov.) Ms. Shawn Dent*		7/5/95
(Speaker) Mr. Ronald L. Kiziah*	7/1/95	6/30/97

* Citizen Appointee
[UT]—Filling Unexpired Term

Lieutenant Governor/Speaker Appointments	Appointed	Expires
LIABILITY INSURANCE COMMISSION, PUBLIC OFFICERS AND EMPLOYEES		
G.S. 58–32–1—see also Ch. 490, Sec. 41, 1995 S.L. (SB 901)	Term–four years	
(Lt. Gov.) Mr. Hugh C. Talton, Jr.*	7/1/95	6/30/99
(Speaker) Mr. James L. Bichsel*	7/27/95	6/30/99
Ex–Officio–Commissioner of Insurance (James E. Long)		
Secretary of Crime Control (Thurman B. Hampton)		
Attorney General (Michael Easley)		
LIBRARY COMMISSION, STATE	Term–four years	
G.S. 143B–90—see also Ch. 490, Sec. 53, 1995 S.L. (SB 901)		
(Lt. Gov.) Mrs. Sue Moody*	7/1/95	6/30/99
(Speaker) Ms. Marjorie Moser Rankin*	9/20/95	6/30/99
LOCAL GOVERNMENT COMMISSION	Term–four years	
G.S. 159–3—see also Ch. 490, Sec. 30, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. Bill Webb*	7/1/93	6/30/97
(Speaker) Mr. Gerald Lamb*	9/15/93	6/30/97
LOCAL GOVERNMENT PARTNERSHIP COUNCIL	Term–two years	
Executive Order No. 21		
(Lt. Gov) Lt. Governor Dennis A. Wicker		
(See also Appointment of President *Pro Tempore*)		
(Speaker) Rep. Jim Carpenter	3/29/95	1/31/97
Rep. Louis Pate		
LOW–LEVEL RADIOACTIVE WASTE MANAGEMENT AUTHORITY		
G.S. 104G–5—see also Ch. 490, Sec. 32, 1995 S.L. (SB 901)	Term–four years	
(Lt. Gov.) Ms. Regina Lee Hopkins*	7/1/94	6/30/98
Ms. Patrice A. Hinnant*	7/20/93	6/30/97
Mr. Frederick Lee Van Swearingen*	7/22/92	6/30/96
Mr. Michael J. O'Foghludha*	7/1/95	6/30/99
Mr. Nick Long*	7/1/95	6/30/99
(Speaker) Rep. Erin J. Kuczmarski	12/20/94	6/30/98
Mr. Robert B. Heater*	8/27/92	6/30/96
Mr. Mark A. Finkelstein*	10/18/93	6/30/97
Mr. Bob McLester*	7/27/95	6/30/99
Ms. Constance Walker*	7/27/95	6/30/99
LOW–LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT COMMISSION, ADVISORY COMMITTEE	Term–two years	
G.S. 104F–4—see also Ch. 490, Sec. 31, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. George C. Bower, Jr.*	7/1/93	6/30/95
Mr. Harvey Kennedy*		
(Speaker) Rep. W. W. Dickson	8/29/95	7/15/97
Rep. George W. Miller, Jr.		
MAJOR MED. PLAN, BD. OF TRUSTEES TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE	Term–two years/staggered	
G.S. 135–39—see also Ch. 490, Sec. 56, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. James Vann*	7/1/96	6/30/98
Mrs. Joyce H. Elliott*	7/1/95	6/30/97
Dr. James Franklin Gibson* (**Deceased**)	7/1/95	6/30/97
Ms. Christie Knittel Mabry* [UT–Gibson*]	11/28/95	6/30/97
(Speaker) Mr. Vick Parks*	7/27/95	6/30/97
Mr. Charles Crutchfield*	7/27/95	6/30/97
Mr. Joseph V. Meacci*	7/31/96	6/30/98

* Citizen Appointee
[UT]—Filling Unexpired Term

Lieutenant Governor/Speaker Appointments	Appointed	Expires
MEDICAL DATABASE COMMISSION, NORTH CAROLINA		Term–three years/staggered
G.S. 131E–211—see also Ch. 490, Sec. 33, 1995 S.L. (SB 901)— **Repealed**—see Ch. 517, Sec.39, 1995 S.L. (SB 345)		
(Lt. Gov.) Dr. Sandra B. Greene*	7/1/95	6/30/98
Mr. Tony Copeland* **(Resigned)**	7/20/93	6/30/96
Mr. Dean Debnam* [**UT**—Copeland*]	7/1/95	6/30/96
Mrs. Kathy G. Barger, CPA*	7/1/94	6/30/97
Dr. Michael Davidson*	7/1/95	6/30/98
(Speaker) Ms. Gail Sports Long*	8/3/92	6/30/95
Mr. Ches Gwinn*	7/21/94	6/30/96
Rep. James P. Green, Sr.	7/21/94	6/30/96
Mr. O. Louis Gentry*	7/21/94	6/30/96
MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES COMMISSION		
G.S. 143B–148—see also Ch. 490, Sec. 34, 1995 S.L. (SB 901)		Term–two years
(Lt. Gov.) Ms. Patricia Ann Chamings*	7/1/95	6/30/97
Ms. Helen Jernigan Poole*	7/1/95	6/30/97
(Speaker) Ms. Terri Nunn*	7/27/95	6/30/97
Ms. Laura J. Thomas*	7/27/95	6/30/97
MILK COMMISSION, NORTH CAROLINA		Term–four years
G.S. 106–266.7—see also Ch. 490, Sec. 35, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. Andrew Benjamin Lloyd, Jr.*	7/30/90	6/30/94
Dr. Vila Rosenfeld*	8/24/87	6/30/91
(Speaker) Mr. John Hunter*	8/21/89	6/30/91
Mrs. Kathryn G. Kirkpatrick*	7/31/90	6/30/92
MOTOR VEHICLE DEALERS ADVISORY BOARD, NORTH CAROLINA		
G.S. 20–305.4—see also Ch. 490, Sec. 36, 1995 S.L. (SB 901)		Term–three years
(Lt. Gov.) Mr. William B. Buchanan, Jr.*	7/1/96	6/30/99
Mr. Charles Ricks*	7/27/95	6/30/98
Mr. W. Clyde Womble*	7/1/94	6/30/97
(Speaker) Mr. John T. Bunch*	10/23/89	6/30/92
Mr. Leonard A. LeFiles III*	7/1/90	6/30/93
Mr. Sam Johnson	11/14/91	6/30/94
NATURAL HERITAGE TRUST FUND, BOARD OF TRUSTEES		Term–six years/staggered
G.S. 113–77.8—see also Ch. 490, Sec. 37, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. Jim Sponenberg*	1/2/94	12/31/2000
Mrs. Nancy Gillam Spruill*	3/12/90	12/31/95
Mr. Thomas D. "Bud" Hunter III*	1/2/92	12/31/97
Mr. Charles E. Clement*	1/1/96	12/31/01
(Speaker) Mrs. Kathryn McCoy*	2/22/94	12/31/99
Mr. William Joslin*	1/24/90	12/31/95
Hon. Robert B. Jordan III*	1/10/92	12/31/97
Mr. Dewey W. Wells*	12/7/95	12/31/01

PORTS—see **STATE PORTS**

* Citizen Appointee
[UT]—Filling Unexpired Term

Lieutenant Governor/Speaker Appointments	Appointed	Expires
PRIVATE PROTECTIVE SERVICES BOARD	Term–three years	
G.S. 74C–4(b)—see also Ch. 490, Sec. 39, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. Sherman Gilliard III*	7/1/94	6/30/97
Ms. Joselia Mapson Davis*	7/1/95	6/30/98
(See also Appointment of President *Pro Tempore*)		
(Speaker) Mr. Mack Donaldson*	7/20/94	6/30/97
Mr. Melvin Gregory Scott*	7/27/95	6/30/98
Mr. Tobin Allen Henry*	7/31/96	6/30/99
PUBLIC HEALTH STUDY COMMISSION	Term–two years/staggered	
G.S. 120–197—see also Ch. 507, Sec. 23A.6, 1995 S.L. (HB 230)		
Report–within 30 days of each biennial session		
(Lt. Gov.) Hon. Moses Carey, Jr.*	8/1/95	
(See also Appointments of President *Pro Tempore*)		
(Speaker) Rep. Zeno L. Edwards, Jr. (Co–Ch)	10/25/95	6/30/96
Rep. M. W. Aldridge		
Rep. Theresa H. Esposito		
Rep. John R. Gamble, Jr.		
Rep. John M. Nichols		
Mr. Dennis E. Harrington*	10/25/95	6/30/97
Dr. Stephen Robert Keener*	10/25/95	6/30/97
PUBLIC SCHOOL FORUM	Term–Coincides with term of Office	
By–laws Public School Forum		
(Lt. Gov.) Dr. Jeff Hockaday* (Designee)	3/16/95	
(See also Appointment of *Pro Tempore*)		
(Speaker) Rep. Walter W. Dickson	2/23/95	1/1/97
Rep. Robert Grady (**Resigned**)		
Rep. Jean Preston		
Rep. Steve Wood		
Rep. Fern Shubert [**UT**—Grady]	3/8/95	1/1/97
PUBLIC TELECOMMUNICATIONS COMMISSIONERS, NORTH CAROLINA BOARD OF	Term–two years	
G.S. 143B–426.9(4)—see also Ch. 490, Sec. 42, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. Wayne Louis Lofton*	7/1/95	6/30/97
Mr. Anthony M. Copeland*	7/1/95	6/30/97
(Speaker) Mr. Ralph Burroughs*	7/27/95	6/30/97
Mr. D. K. McLaughlin*	7/27/95	6/30/97
QUALITY LEADERSHIP AWARDS COUNCIL, NORTH CAROLINA		
Executive Orders No. 10; 13	Term–Pleasure of appointive authority	
(Lt. Gov.) Honorable Liza Worthington*	7/1/95	
(See also Appointments of President *Pro Tempore*)		
(Speaker) Ms. Linda Ashendorf*	7/1/90	6/30/93
RECREATION AND NATURAL HERITAGE TRUST FUND—see **NATURAL HERITAGE TRUST FUND**		
RETIREMENT SYSTEM, TEACHERS' AND STATE EMPLOYEES' BOARD OF TRUSTEES	Term–two years	
G.S. 135–6(b)(4)—see also Ch. 490, Sec. 57, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. John H. Cilley IV*	7/1/95	6/30/97
(Speaker) Mr. Ed Goode*	7/27/95	6/30/97

* Citizen Appointee
[UT]—Filling Unexpired Term

Lieutenant Governor/Speaker Appointments	Appointed	Expires
RULES REVIEW COMMISSION	Term–two years/staggered	
G.S. 143B–30.1—see also Ch. 490, Sec. 43, 1995 S.L. (SB 901)		
(Lt. Gov.) Ms. Vernice Britt Howard*	7/1/96	6/30/98
Ms. Teresa L. Smallwood*	7/1/96	6/30/98
Mr. Charles H. Henry*	7/1/95	6/30/97
Honorable Philip O. Redwine*	7/1/95	6/30/97
(Speaker) Mr. Bill Graham*	12/6/95	6/30/97
Mr. Ed Shelton* **(Resigned)**	12/6/95	6/30/97
Mr. James B. Mallory III* [UT—Shelton*]	10/1/96	6/30/97
Mr. Paul Powell*	7/31/96	6/30/98
Ms. Anita White*	8/29/96	6/30/98
RURAL ECONOMIC DEVELOPMENT CENTER, BOARD OF DIRECTORS		
By–Laws REDC	Term–Pleasure of appointive authority	
(Lt. Gov.) Senator Charles W. Albertson	7/1/95	
Senator Luther Henry Jordan, Jr.	3/1/93	
Senator J. Clark Plexico	3/1/93	
(Speaker) Rep. Charles F. Buchanan	8/23/95	12/31/96
Rep. Wilma M. Sherrill		
Rep. Don Davis	10/4/95	12/31/96
SCHOOL FACILITY NEEDS, NORTH CAROLINA COMMISSION		
G.S. 115C–489.4—see also Ch. 490, Sec. 44, 1995 S.L. (SB 901)	Term–four years	
(Lt. Gov.) Mr. Anderson D. Cromer*	7/1/95	6/30/99
Mr. Phillip R. Feagan*		
Mr. Dedrick Samuels*		
Mr. J. V. Williams*		
Mr. G. Matthew Wood, Jr.*		
(Speaker) Ms. Jorga Barker*	7/27/95	6/30/99
Mr. Harris Blake*		
Mr. Howard Danieley*		
Mr. Linwood Parker*		
Ms. Lynda Petty*		
SCIENCE AND MATHEMATICS, BOARD OF TRUSTEES, NORTH CAROLINA SCHOOL OF	Term–two/four years	
G.S. 116–233—see also Ch. 490, Sec. 45, 1995 S.L. (SB 901)		
(Lt. Gov)(Term–Four years)		
Mr. Randy Stephen Gregory*	7/20/93	6/30/97
Mrs. Carol Hughes*	7/1/95	6/30/99
(Speaker)(Term–Two years)		
Mr. Chandler Bryan*	7/27/95	6/30/97
Mr. Jim Peden*	7/27/95	6/30/97
SCIENCE AND TECHNOLOGY, NORTH CAROLINA BOARD	Term–two years	
G.S. 143B–426.31—see also Ch. 490, Sec. 46, 1995 S.L. (SB 901)		
(Lt. Gov.) Dr. Larry W. Watson*	7/1/95	6/30/97
(Speaker) Mr. Robert Annechiarico*	3/1/96	6/30/97
SEAFOOD INDUSTRIAL PARK AUTHORITY, NORTH CAROLINA		
G.S. 113–315.25(d)—see also Ch. 490, Sec. 47, 1995 S.L. (SB 901)	Term–two years	
(Lt. Gov.) Mr. Russell Howard Langley*	7/1/95	6/30/97
(Speaker) Mr. John Schrote*	7/27/95	6/30/97

* Citizen Appointee
[UT]—Filling Unexpired Term

Lieutenant Governor/Speaker Appointments	Appointed	Expires
SENTENCING AND POLICY ADVISORY COMMISSION, NORTH CAROLINA		
G.S. 164–37—see also Ch. 236, 1995 S.L. (SB 186)		
(Lt. Gov.) Ms. Julia B. Nile*	7/5/95	6/30/97
Mr. Carl Parrish*		
(See also Appointments of President *Pro Tempore*)		
(Speaker) Rep. Joanne W. Bowie	8/29/95	6/30/97
Rep. C. Robert Brawley		
Rep. Larry T. Justus		
Mr. McKay Belk*	11/30/95	6/30/97
SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION, NORTH CAROLINA	Term–two years	
G.S. 17E–3—see also Ch. 103, Sec. 3 (SB 362); Ch. 490, Sec. 48 (SB 901), 1995 S.L.		
(Lt. Gov.) Hon. Richard Lee Frye*	7/1/95	6/30/97
(Speaker) Mr. Litchard Hurley*	9/1/95	8/31/97
SOUTHERN GROWTH POLICIES BOARD	Term–Not Specified	
G.S. 143–492—see also Ch. 490, Sec. 50, 1995 S.L. (SB 901)		
(Lt. Gov.) Senator Roy Cooper III	7/21/95	6/30/97
(Speaker) Rep. Ed McMahan	6/15/95	1/30/97
STATE BAR DISCIPLINARY HEARING COMMISSION— see **DISCIPLINARY HEARING COMMISSION**		
STATE BUILDING COMMISSION	Term–three years/staggered	
G.S. 143–135.25—see also Ch. 490, Sec. 52, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. Robert E. Turner*	7/1/96	6/30/99
Mr. Robert L. Jones*	7/1/95	6/30/98
Mr. John Talbot Johnson*	7/1/94	6/30/97
(Speaker) Mr. Jack K. Colby, PE*	7/19/94	6/30/97
Mr. Benny R. Hockaday*	9/20/95	6/30/98
Mr. Charles T. Wilson*	7/31/96	6/30/99
STATE PORTS AUTHORITY	Term–two years	
G.S. 143B–452—see also Ch. 490, Sec. 54, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. Kenneth E. Haigler*	7/1/96	6/30/98
Mr. Stewart Bryan Coleman*	7/1/95	6/30/97
(Speaker) Mr. William F. Maready*	7/27/95	6/30/97
Mr. Patrick Joyce*	7/31/96	6/30/98
SUBSTANCE ABUSE ADVISORY COUNCIL	Term–four years	
G.S. 143B–270—see also Ch. 490, Sec. 55, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. Nathan T. Everett*	11/28/95	9/30/99
Mr. Selbert McRae Wood, Jr.*	11/28/95	9/30/99
Mr. F. O'Neil Jones*	2/8/96	9/30/99
(Speaker) Hon. Brad Ligon*	2/20/96	9/30/99
Mr. John E. Shields*	3/1/96	9/30/99
Ms. Anne Goodheart*	3/14/96	9/30/99
TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM— see **RETIREMENT SYSTEM**		

* Citizen Appointee
[UT]—Filling Unexpired Term

Lieutenant Governor/Speaker Appointments	Appointed	Expires
TEACHING, NORTH CAROLINA CENTER FOR THE ADVANCEMENT OF		Term–four years
Ch. 479, Sec. 74, 1985 S.L.—see also Ch. 490, Sec. 2, 1995 S.L. (SB 901)		
(Lt. Gov.) Ms. Toni Fitzpatrick*	7/20/93	6/30/97
Mrs. Jane McGrigor Forde*	7/20/93	6/30/97
(Speaker) Mr. Young Allen*	1/7/94	6/30/97
Mrs. Dottie Thornburg*		
TEACHING FELLOWS COMMISSION, NORTH CAROLINA		Term–four years/staggered
G.S. 115C–363.23(a)—see also Ch. 490, Sec. 58, 1995 S.L. (SB 901)		
(Lt. Gov.) Lt. Governor Dennis A. Wicker (Ch)		
Ms. Melanie Ross*	7/1/96	6/30/2000
Mrs. Joyce Wood Byrd*	7/6/93	6/30/97
Mrs. Colleen Oliver Lanier*	7/1/95	6/30/99
(Speaker) Mrs. Marydell R. Bright* **(Resigned)**	7/30/93	6/30/97
Ms. Joyce Rhodes* [UT—Bright*]	7/27/95	6/30/97
Mr. Franz Holscher*	7/27/95	6/30/99
Mrs. Jeannie Metcalf*	7/31/96	6/30/2000
TELECOMMUNICATIONS—see **PUBLIC TELECOMMUNICATIONS**		
TELEVISION, UNC CENTER FOR PUBLIC—BOARD OF TRUSTEES		Term–two years
G.S. 116–37.1—see also Ch. 490, Sec. 61, 1995 S.L. (SB 901)		
(Lt. Gov.) Mrs. Beverly McCraken*	7/1/95	6/30/97
(Speaker) Ms. Joan Danieley*	7/27/95	6/30/97
THERAPEUTIC RECREATION CERTIFICATION BOARD, NORTH CAROLINA		Term–three years/staggered
G.S. 90C–5—see also Ch. 490, Sec. 59, 1995 S.L. (SB 901)		
(Lt. Gov.) Mrs. Lula Bell Herring* **(Resigned)**	7/1/94	6/30/97
Mr. Henry "Hank" Debnam* [UT—Herring*]	7/1/96	6/30/97
Mr. Wayne M. Pollock*	7/1/95	6/30/98
(Speaker) Mr. Charles M. Johnson*	8/3/92	6/30/95
Ms. Peggy Pruett*	7/31/96	6/30/99
TRANSPORTATION, NORTH CAROLINA BOARD OF		Term–two years
G.S. 143B–350(d)—see also Ch. 490, Sec. 60, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. Peter A. Pappas*	7/1/95	6/30/97
(Speaker) Mr. Tom Darden*	7/27/95	6/30/97
VAGABOND SCHOOL OF THE DRAMA, INC. AND THE FLAT ROCK PLAYHOUSE, BOARD OF TRUSTEES		Term–two years
By–Laws/Art. II, Sec. 1		
(Lt. Gov.) Senator David W. Hoyle	2/22/93	1/31/95
Senator Clark Plexico		
(Speaker) Rep. Lanier Cansler	6/21/95	1/31/97
Rep. William M. Ives		
VETERINARY MEDICAL BOARD, NORTH CAROLINA		Term–five years
G.S. 90–182		
(Lt. Gov.) Dr. Amy Lewis*	7/1/96	6/30/2001
(Speaker) Dr. David E. Brooks, D.V.M.*	8/3/92	6/30/97

* Citizen Appointee
[UT]—Filling Unexpired Term

Lieutenant Governor/Speaker Appointments	Appointed	Expires
WILDLIFE RESOURCES COMMISSION, NORTH CAROLINA		Term–two years
G.S. 143–240—see also Ch. 490, Sec. 64, 1995 S.L. (SB 901)		
(Lt. Gov.) Mr. John Edward Pechmann*	7/1/95	4/24/97
(See also Appointments of President *Pro Tempore*)		
(Speaker) Mr. James B. Black, Jr.*	7/27/95	4/25/97
Mr. Charles R. Preston	7/27/95	4/25/97
Mr. Ralph Squires*	7/27/95	4/25/97

NOTE: Appointments made between **1989** and **1990** were made by the following:
Lieutenant Governor—The Honorable James C. Gardner
Speaker of the House of Representatives—
The Honorable Josephus L. Mavretic

Appointments made between **1991** and **1992** were made by the following:
Lieutenant Governor—The Honorable James C. Gardner
Speaker of the House of Representatives—
The Honorable Daniel T. Blue, Jr.

Appointments made between **1993 and 1994** were made by the following:
Speaker of the House of Representatives—
The Honorable Daniel T. Blue, Jr.

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* Citizen Appointee
[UT]—Filling Unexpired Term

APPOINTMENTS

SHARED BY
THE SENATE PRESIDENT *PRO TEMPORE*
AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The following appointments to Boards, Commissions and Committees were made during 1995 and 1996 by the Honorable Marc Basnight, President *Pro Tempore* of the Senate and by the Honorable Harold J. Brubaker, Speaker of the House of Representatives (confirmed by documents on file).

Chapters 488 and 492 of the 1995 Session Laws, were enacted in compliance with G.S.120–121 which outlines the procedure for legislative appointments. Vacancies occurring in legislative appointments are addressed in G.S. 120–122.

Appointments prior to 1993 were made by a former President *Pro Tempore* and prior to 1995 by a former Speaker but remain in effect.

		Appointed	Expires
ACUPUNCTURE LICENSING BOARD		Term–three years/staggered	
G.S. 90–453			
(Pro Tem)	Dr. Robert J. Reo*	7/31/95	6/30/98
	Mr. Garland Wood*	6/30/96	6/30/99
(Speaker)	Mr. Richard Koerber*	7/27/95	6/30/97
	Ms. Susan Goldstone*	7/31/96	6/30/99
ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE, JOINT LEGISLATIVE			Term–two years
G.S. 120–70.100—see Ch. 507, Sec. 27.8, 1995 S.L. (HB 230)			
(Pro Tem)	Senator J. K. Sherron, Jr. (Co–Ch)	8/10/95	1/14/97
	Senator Frank W. Ballance, Jr.		
	Senator Virginia Foxx		
	Senator John H. Kerr III		
	Senator James Mark McDaniel		
	Senator Henry E. McKoy		
	Senator Ed N. Warren		
	Senator Hugh Webster		
(Speaker)	Rep. Billy Creech (Co–Ch)	8/31/95	1/14/97
	Rep. Cary D. Allred		
	Rep. L. W. Locke		
	Rep. Linwood E. Mercer		
	Rep. W. Franklin Mitchell		
	Rep. John M. Nichols		
	Rep. E. David Redwine		
	Rep. Joanne P. Sharpe		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
ADVISORY BUDGET COMMISSION	Term–Pleasure of appointive authority	
G.S. 143–4		
(Pro Tem) Senator Donald R. Kincaid	8/9/95	1/31/97
Senator T. L. Odom		
Senator Beverly M. Perdue		
Senator Aaron W. Plyler		
Senator Ed N. Warren		
(Speaker) Rep. Rex Baker	2/21/95	1/31/97
Rep. Billy Creech		
Rep. Theresa H. Esposito		
Rep. Dewey Hill		
Rep. George Holmes		
AGING, NORTH CAROLINA STUDY COMMISSION	Term–two years	
G.S. 120–182		
(Pro Tem) Senator Betsy L. Cochrane (Co–Ch)	10/11/95	6/30/97
Senator Robert C. Carpenter		
Senator Charlie Dannelly		
Senator David R. Parnell (**Resigned**)		
Senator James D. Speed		
Ms. Judy Beam*		
Ms. Kimberly D. Berry*		
Ms. Anne Holton*		
Senator R. L. "Bob" Martin [**UT**—Parnell]	1/16/96	6/30/97
(Speaker) Rep. Debbie Clary (Co–Ch)	10/25/95	6/30/97
Rep. Beverly M. Earle		
Rep. Zeno L. Edwards, Jr.		
Rep. Arlene Pulley		
Rep. Gene Wilson		
Ms. Donna A. Creech*		
Ms. Lorena Moree*		
Mr. Travis Tomlinson* (**Resigned**)		
Mr. George Wilson* [**UT**–Tomlinson*]	3/21/96	6/30/97
AGRICULTURAL WASTE, BLUE RIBBON STUDY COMMISSION ON		
Ch. 542, Sec. 4.1, 1995 S.L. (HB 898)	Term–Terminates upon final report **Report**–prior to 1996 Session	
(Pro Tem) Senator Charles W. Albertson	8/24/95	
Mr. John Q. Adams*	8/28/95	
Dr. James C. Barker*	8/24/95	
Hon. Cleveland Simpson*	8/28/95	
Mr. Nick Weaver*	8/24/95	
Dr. Michael K. Wohlgenant*	8/24/95	
(Speaker) Rep. John W. Brown	8/24/95	
Dr. Ernest A. Carl*		
Dr. Wiliam Robert Caviness*		
Dr. Robert Edward Cook*		
Mr. C. Loyd Godley, Jr.*		
Mr. Robert W. Ivey*		
AIR QUALITY COMPLIANCE ADVISORY PANEL	Term–four years/staggered	
G.S. 143B–318		
(Pro Tem) Ms. Joan Morrow*	10/17/94	12/31/97
(Speaker) Ms. Joan Maxwell*	9/29/94	12/31/96

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
AQUACULTURE ADVISORY BOARD	Term–Not specified	
G.S. 106–760		
(Pro Tem) Senator Charlie Albertson	3/21/95	12/31/96
(Speaker) Rep. John Brown	2/23/95	1/30/97
AQUARIUMS COMMISSION, NORTH CAROLINA	Term–four years	
G.S. 143B–390.15		
(Pro Tem) Mr. Ray White*	7/1/92	7/1/96
Mrs. Ina Evans*		
Mr. Rick Willetts*		
Mr. John Weyerhaeuser*		
(Speaker) Mr. Robert J. Beason*	7/31/96	7/1/2000
Mr. H. Edward Browning*		
Mr. W. Daniel Martin III*		
Mr. Lois Jean O'Keefe*		
BLIND, CONSUMER AND ADVOCACY ADVISORY COMMITTEE FOR THE		
G.S. 143B–164	Term two–years	
(Pro Tem) Senator Luther Jordan	8/9/95	6/30/97
(Speaker) Rep. Martha Alexander	9/21/95	6/30/97
BOXING COMMISSION, NORTH CAROLINA STATE		
Term–three years/staggered		
G.S. 143–652—see Ch. 499, 1995 S.L. (HB 555)		
(Pro Tem) Dr. Joseph J. Estwanik*	1/1/96	12/31/96
Mr. William D. McInnis*	1/1/96	12/31/96
(Speaker) Mr. Arthur Smith*	1/1/96	12/30/96
Dr. Ward Oakley*		
BRIDGE AUTHORITY, NORTH CAROLINA	Term–four years/staggered	
G.S. 136–89.161—see Ch. 485, 1995 S.L. (HB 952)	**Report**–Annually	
(Pro Tem) Mr. Ernie Bowden*	3/26/96	6/30/97
Ms. Frances P. Walker*	3/26/96	6/30/99
(Speaker) Mr. Danny Gray*	4/12/96	6/30/97
Mr. S. Paul O'Neal*	4/12/96	6/30/99
BUTNER PUBLIC SAFETY, STUDY COMMISSION ON THE TRANSFER OF		
	Term–Terminates upon final report	
Ch. 324, Sec. 20.5, 1995 S.L. (HB 229)	**Report**–by 5/1/96	
(Pro Tem) Senator Wib Gulley (Co–Ch)	10/23/95	5/1/96
Senator Jeanne Hopkins Lucas	10/23/95	5/1/96
Honorable Ron Alligood*	11/8/95	5/1/96
Mr. James Jones*	11/8/95	5/1/96
Mr. Elbert Oakley, Jr.*	11/8/95	5/1/96
Mr. Ernest Thompson*	11/8/95	5/1/96
(Speaker) Rep. Jim Crawford (Co–Ch)	9/12/95	5/1/96
Rep. Larry Justus		
Rep. Wayne Sexton		
Mr. Ben W. Aiken*		
Mr. William McKellar*		
Ms. Eva Perry*		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
CANCER COORDINATION AND CONTROL, ADVISORY COMMITTEE ON		
G.S. 130A–33.50	Term–four years/staggered	
	Report–by 10/1 annually	
(Pro Tem) Senator Ollie Harris (**Resigned**)	11/22/93	6/30/97
Senator T.L. "Fountain" Odom	11/22/93	6/30/97
Mrs. Libby Buckner*	8/7/95	6/30/99
Senator Robert C. Carpenter	8/7/95	6/30/99
Senator William N. Martin [**UT**—Harris]	3/15/95	6/30/97
(Speaker) Rep. Robert C. Hayes [**UT**—Bowman] (**Resigned**)	2/23/95	6/30/97
Rep. Julia Howard [**UT**—Hayes]	6/15/95	6/30/97
Rep. Walter W. Dickson	6/15/95	6/30/99
Rep. Thomas E. Wright	6/15/95	6/30/99
Mr. William Holt* (**Resigned**)	6/15/95	6/30/97
Mrs. Nan Revell* [**UT**—Holt*]	5/7/96	6/30/97
CAPITAL PLANNING COMMISSION	Term–Coincides with term of Office	
G.S. 143B–374		
(Pro Tem) Senator Fred M. Hobbs	5/19/95	1/31/97
Senator David W. Hoyle		
Senator Robert G. Shaw		
Senator J. K. Sherron		
(See also Appointment of Lt. Governor)		
(Speaker) Speaker Harold J. Brubaker		
Rep. Russell Capps	2/23/95	1/31/97
Rep. Rick Eddins		
Rep. David Miner		
Rep. Arlene Pulley		
CAPITOL PRESERVATION COMMISSION	Term–four years/staggered	
G.S. 143B–80.8—**Repealed**—see Ch. 507, Sec. 12(a), 1995 S.L. (HB 230)		
(Pro Tem) Hon. Franklin L. Block*	7/20/94	6/30/96
Mr. Lee Fowlkes*	7/20/94	6/30/96
Mr. Robert E. Stipe*	7/20/94	6/30/96
(See also Appointment of Lt. Governor)		
(Speaker) Hon. William A. Creech*	8/3/94	6/30/96
Mr. Philip G. Freelon*	8/3/94	6/30/98
Hon. Derryl Garner*	8/3/94	6/30/96
CENTENNIAL AUTHORITY, THE	Term–four years/staggered	
G.S. 160A–480.3—see Ch. 458, Sec. 1, 4, 1995 S.L. (SB 606)		
(Pro Tem) Honorable George B. Daniel*	7/31/95	6/30/99
Mr. Clay Ferebee III*	7/31/95	6/30/97
Mr. Reef C. Ivey II*	7/31/95	6/30/97
Honorable Wendell Murphy*	7/31/95	6/30/99
(Speaker) Mr. Brent Barringer*	7/27/95	7/1/97
Mr. Ray Rouse III*	7/27/95	7/1/99
M. Temple Sloan, Jr.*	7/27/95	7/1/97
Mr. R. Stephen Stroud*	7/27/95	7/1/99
CHEROKEE/EASTERN BAND, NORTH CAROLINA ADVISORY COUNCIL ON		
G.S. 143B–411.1	Term–two years	
(Pro Tem) Senator Herbert L. Hyde	10/18/94	9/30/96
(Speaker) Rep. Charles M. Beall	6/21/94	6/30/96

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments		Appointed	Expires
CHILD FATALITY TASK FORCE, NORTH CAROLINA			
		Term–Pleasure of appointive authority	
G.S. 143–574—see Ch. 17, Sec. 3.1, 1996 2nd Extra S.L. (SB 46)			
		Report–Within 1 week convening 1997; 1998; 1999 Sessions	
(Pro Tem)	Senator Roy A. Cooper III	10/27/95	1/29/97
	Senator William N. "Bill" Martin	10/27/95	1/29/97
	Senator Austin M. Allran	8/18/94	
	Senator Elaine Marshall (**Resigned**)	8/18/94	
	Senator R. L. Martin	8/18/94	
	Senator Leslie Winner [**UT**—Marshall]	9/21/94	
	Mrs. Jean Andrews*	10/27/95	1/29/97
	Mr. Joel H. Brewer*	11/2/95	1/29/97
	Mr. Earl R. "Moose" Butler*	11/7/95	1/29/97
	Mr. Milton Council*	11/8/95	1/29/97
	Mr. Carroll Jones, Jr.*	11/8/95	1/29/97
(Speaker)	Rep. Paul Luebke	9/28/92	
	Dr. Thomas E. Frothingham* (**Resigned**)	9/28/92	
	Mr. Larry King*	9/28/92	
	Rep. Walter W. Dickson	2/23/95	1/31/97
	Rep. Bobby H. Griffin (**Resigned**)	9/29/94	1/31/97
	Rep. Bertha M. Holt (**Resigned**)	9/29/94	1/31/97
	Rep. Thomas E. Wright	9/29/94	1/31/97
	Rep. Ruth M. Easterling [**UT**—Griffin]	3/10/95	1/31/97
	Rep. Joanne P. Sharpe [**UT**—Holt]	3/10/95	1/31/97
	Ms. Jennifer Tolle*	10/25/95	1/31/97
	Mrs. Doris Patton Giezentanner*	2/5/96	1/31/97
	Mrs. Edna Hines*	2/5/96	1/31/97
	Dr. Kathleen Dunn* [**UT**—Frothingham*]	10/1/96	1/31/97
CHILDREN BIRTH TO 5 YEARS WITH DISABILITIES AND THEIR FAMILIES, INTERAGENCY COORDINATING COUNCIL FOR		Term–two years	
G.S. 143B–179.5		**Report**–Annually	
(Pro Tem)	Senator Dennis H. Davis	9/5/96	7/1/98
	Senator Jeanne H. Lucas	9/5/96	7/1/98
(Speaker)	Rep. Martha B. Alexander	7/1/96	6/30/98
	Rep. Joanne Sharpe	7/1/96	6/30/98
CHILDREN, PARTNERSHIP FOR INC., NORTH CAROLINA BOARD OF DIRECTORS			
G.S. 143B–168.11—see also Ch. 324, Sec. 27A.1, 1995 S.L. (HB 229); Ch. 18, Sec. 24.29, 1996 2nd Extra S.L. (HB 53)			
(Pro Tem)	Senator Leslie Winner (Designee)	10/11/95	8/31/98
	Senator Frank Ballance	10/11/95	8/31/98
	Senator Ollie Harris [**Deceased**]	9/27/94	8/30/97
	Senator Beverly Perdue [**Resigned**]	9/17/93	8/31/96
	Senator J. Clark Plexico	9/17/93	8/31/96
	Senator Marvin Ward	9/17/93	8/31/96
	Dr. William R. Capps*	9/27/94	8/30/97
	Hon. Lura Tally*	10/11/95	8/31/98
	Mr. Robert C. Allen* [**UT**–Harris]	2/28/96	8/30/97

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
CHILDREN, PARTNERSHIP FOR INC., NORTH CAROLINA BOARD OF DIRECTORS (Continued)		
(Speaker) Rep. Carolyn Russell (Designee)	9/1/95	8/31/98
Rep. Bertha M. Holt	9/29/93	8/31/96
Rep. Paul Luebke	9/12/94	8/31/97
Rep. Warren C. Oldham	9/1/95	8/31/98
Rep. Fern Shubert	9/1/95	8/31/98
Reverend Willie F. McIntosh, Jr.*	9/29/93	8/31/96
Ms. Judy Hoffman*	9/12/94	8/31/97
CHILDREN AND YOUTH, GOVERNOR'S ADVOCACY COUNCIL ON		
G.S. 143B–415	Term–four years	
(Pro Tem) Senator Richard Conder	1/14/94	6/30/97
Senator Luther Jordan, Jr.		
(Speaker) Rep. Ruth Easterling	8/19/93	6/30/97
Rep. Howard J. Hunter, Jr.		
CHILDREN WITH SPECIAL NEEDS, COMMISSION ON		
G.S. 120–58	Term–Pleasure of appointive authority	
(Pro Tem) Senator Jeanne Hopkins Lucas (Co–Ch)	10/16/95	
Senator Fred M. Hobbs		
Senator Teena S. Little		
Dr. Sudesh Kataria*		
(Speaker) Rep. Theresa H. Esposito	8/1/95	7/31/97
Rep. Joanne P. Sharpe		
Rep. Gregg Thompson		
Ms. Ann Blakeney Clark*		
CIVIL PROCEDURE STUDY COMMISSION	Term–Terminates upon final report	
Ch. 17, Sec. 4.1, 1996 2nd Extra S.L. (SB 46)	**Report**–Final by 4/1/98	
(Pro Tem) (Not available at time of printing)		
(Speaker) (Not available at time of printing)		
CLEAN WATER MANAGEMENT TRUST FUND BOARD OF TRUSTEES	Term–four years/staggered **Report**–by 11/1 Annually	
G.S. 113–145.5—see Ch. 18, Sec. 27.6, 1996 2nd Extra S.L. (HB 53)		
(Pro Tem) Mr. Ronald Owen Bryant*	9/27/96	1998
Mr. Allen M. Hardison*	9/27/96	1998
Mr. Bill Hollan*	9/27/96	2002
Ms. Elizabeth B. "Bunny" Johns*	9/27/96	2000
Mr. Dickson McLean, Jr.*	9/27/96	2000
Mr. Jerry Wright*	9/27/96	2002
(Speaker) (Not available at time of printing)		
COMPREHENSIVE COMPENSATION SYSTEM STUDY COMMISSION		
Ch. 18, Sec. 28.18, 1996 2nd Extra S.L. (HB 53)	Term–Terminates upon final report **Report**–by 1/29/97	
(Pro Tem) (Not available at time of printing)		
(Speaker) (Not available at time of printing)		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
CONSUMER PROTECTION ISSUES COMMITTEE/LRC		
Ch. 542, Sec. 2.1(5), 1995 S.L. (HB 898)	**Report–1996; 1997 Session**	
(Pro Tem) Honorable Robert Warren*	11/20/95	1/15/97
Senator Luther H. Jordan, Jr. (Co–Ch)	11/29/95	1/15/97
Senator James D. Speed		
Ms. Janice Aydlett Farr*		
Ms. Ellen Gerber*		
Senator Wib Gulley	12/4/95	1/15/97
(Speaker) Rep. Gregory J. Thompson (Co–Ch)	10/25/95	1/15/97
Rep. Charles M. Beall		
Rep. William Pete Cunningham		
Rep. Jean Preston		
Rep. John M. Rayfield		
Rep. Ken Miller	11/27/95	1/15/97
(LRC Coordinator) Senator Frank Ballance, Jr.		
CORRECTIONS OVERSIGHT COMMITTEE, JOINT LEGISLATIVE		
G.S. 120–70.93		Term–two years
(Pro Tem) Senator Fountain Odom (Co–Ch)	8/9/95	1997
Senator Frank W. Ballance, Jr.		Convening
Senator Don W. East		
Senator David R. Parnell		
Senator Robert G. Shaw		
Senator Dan R. Simpson		
Senator James D. Speed		
Senator Leslie Winner		
(Speaker) Rep. Larry Justus (Co–Ch)	2/23/95	1/31/97
Rep. Joni Bowie		
Rep. Jim Crawford		
Rep. George Holmes **(Resigned)**		
Rep. Joe Kiser		
Rep. Arlene Pulley		
Rep. Gregg Thompson		
Rep. Mike Wilkins		
Rep. Linwood Mercer [**UT**—Holmes]	6/8/95	1/31/97
COURTS COMMISSION, NORTH CAROLINA		Term– four years
G.S. 7A–506		
(Pro Tem) Senator Patrick J. Ballantine	8/11/95	6/30/99
Senator Wib Gulley	8/11/95	6/30/99
Senator Anthony E. Rand	8/11/95	6/30/99
Mr. Bob Burchette*	11/19/93	6/30/97
Mr. Phillip Ginn*	11/19/93	6/30/97
Mr. J. Carl Hayes	11/19/93	6/30/97
(Speaker) Rep. Bill Culpepper	7/1/95	6/30/99
Rep. Leo Daughtry	7/1/95	6/30/99
Rep. Chuck Neely	7/1/95	6/30/99
Rep. Robert J. Hensley, Jr.	10/7/93	6/30/97
Rep. David T. Flaherty, Jr.	10/7/93	6/30/97
Mr. George T. Griffin*	10/7/93	6/30/97

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
CRIME COMMISSION		Term–two years
G.S. 143B–478		
(Pro Tem) Senator Charles W. Albertson	8/10/95	2/28/97
Senator James D. Speed		
(Speaker) Rep. Leo Daughtry	2/23/95	1/31/97
Rep. Larry Linney		
CRIME CONTROL AND PUBLIC SAFETY, STUDY COMMISSION ON THE DEPARTMENT OF	Term–Terminates upon final report	
Ch. 324, Sec. 20.4, 1995 S.L. (HB 229)—**Continued**—		
Ch. 18, Sec. 21.1, 1996 2nd Extra S.L. (HB53)	**Report**–to 1997 Session	
(Pro Tem) Senator David R. Parnell (Co–Ch)	10/20/95	5/1/96
Senator Frank Ballance		
Senator Fletcher L. Hartsell		
Senator Beverly Perdue		
Senator Aaron W. Plyler		
Senator T. L. "Fountain" Odom	11/8/95	5/1/96
(Speaker) Rep. Larry T. Justus (Co–Ch)	9/8/95	5/1/96
Rep. Theresa H. Esposito		
Rep. George M. Holmes		
Rep. Billy J. Creech		
Rep. Joe Kiser		
Rep. Gregg Thompson		
CRIMINAL JUSTICE INFORMATION NETWORK GOVERNING BOARD		Term–four years/staggered
G.S. 143–661—see Ch. 18, Sec. 23.3, 1996 2nd Extra S.L. (HB 53)	**Report**–by 4/1/97	
(Pro Tem) Dr. David E. Henson*	10/25/96	6/30/99
Mr. Stuart H. LeGrand*	10/25/96	6/30/97
Lt. Kenneth B. Wiseman*	10/25/96	6/30/97
(Speaker) Hon. Fred Hines*	10/17/96	6/30/99
Col. Sid Jennings*	10/17/96	6/30/99
Hon. Renee Kumor*	10/17/96	6/30/97
CRIMINAL JUSTICE PARTNERSHIP ADVISORY BOARD, STATE		
G.S. 143B–272.6	Term–three years/staggered	
(Pro Tem) Senator Charles W. Albertson	12/15/94	11/30/97
Ms. Faye D. Boyd*	11/4/93	11/30/96
Hon. Earnest Wright*	3/5/96	11/30/98
(See also Appointments of Lt. Governor)		
(Speaker) Rep. Bertha M. Holt	6/21/94	6/30/97
Mr. Darrell Hancock*	1/18/94	6/30/96
Mr. Buster Robertson*	7/1/95	6/30/98
CRIMINAL LAWS, PROCEDURES, AND SENTENCING COMMMITTEE/LRC		
Ch. 542, Sec. 2.3, 1995 S.L. (HB 898)	**Report**–1996; 1997 Session	
(Pro Tem) Senator Frank W. Ballance, Jr. (Co–Ch)	11/6/95	1/15/97
Senator John Gerald Blackmon		
Senator Roy A. Cooper III		
Mr. J. C. Cole*		
Mr. Patrick Matus*		
Mr. Ronnie E. Meekins, Sr.*		
Honorable Billy Smith*		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
CRIMINAL LAWS, PROCEDURES, AND SENTENCING COMMMITTEE/LRC (Continued)		
(Speaker) Rep. Michael P. Decker (Co–Ch)	10/25/95	1/15/97
Rep. C. Robert Brawley		
Rep. Joe Leonard Kiser		
Rep. Hugh A. Lee		
Rep. Charles B. Neely		
Rep. Paul Wayne Sexton		
Rep. Ronnie N. Sutton		
(LRC Coordinator) Senator Frank Ballance, Jr.		
CRIMINAL PROCEDURE STUDY COMMISSION		
	Term–Terminates upon final report	
Ch. 17, Sec. 5.1, 1996 2nd Extra S.L. (SB 46)	**Report**–Final by 4/1/98	
(Pro Tem)(Not available at time of printing)		
(Speaker)(Not available at time of printing)		
DEAF AND HARD OF HEARING, NORTH CAROLINA COUNCIL FOR THE		
G.S. 143B–216.32(a)	Term–four years	
(Pro Tem) Senator Daniel R. Simpson	8/31/93	
(Speaker) Rep. Martha B. Alexander	11/15/93	
DISPUTE RESOLUTION COMMISSION	Term–four years	
G.S. 7A–38.2—see Ch. 500, 1995 S.L. (SB 528)		
(Pro Tem) Mr. Joseph L. Ray*	11/2/95	9/30/99
(Speaker) Mr. Carmon J. Stuart, Esq.*	10/31/95	9/30/99
DOWNTOWN REVITALIZATION COMMITTEE/LRC		
Ch. 542, Sec. 2.4, 1995 S.L. (HB 898)	**Report**–1996; 1997 Session	
(Pro Tem) Senator J. K. Sherron, Jr. (Co–Ch)	12/1/95	1/15/97
Mr. Milton Fields*	12/5/95	1/15/97
Mr. Brad Thompson*		
Mr. Mike Schneiderman*		
Senator Robert G. Shaw	12/14/95	1/15/97
Senator Wib Gulley		3/5/96
(Speaker) Rep. Donald Spencer Davis (Co–Ch)	10/25/95	1/15/97
Rep. C. Robert Brawley		
Rep. Stanley H. Fox		
Rep. Dewey Lewis Hill		
Rep. Larry Shaw		
Hon. Mollie Stephenson*	2/27/96	1/15/97
(LRC Coordinator) Senator J. K. Sherron		
DRIVERS LICENSE MEDICAL EVALUATION PROGRAM STUDY COMMISSION		
Ch. 324, Sec. 18.17, 1995 S.L. (HB 229)	**Report**–Interim to 1996 Session; Final to 1997 Session	
(Pro Tem) Senator C. R. Edwards (Co–Ch)	10/9/95	1/29/97
Senator Hamilton C. Horton, Jr.		
Senator David W. Hoyle		
(Speaker) Rep. Bill Hiatt (Co–Ch)	10/25/95	1/29/97
Rep. Sam Ellis		
Rep. Liston B. Ramsey		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
EARLY CHILDHOOD EDUCATION AND DEVELOPMENT INITIATIVES, JOINT LEGISLATIVE OVERSIGHT COMMITTEE	Term–two years	
G.S. 120–70.90		
(Pro Tem) Senator Jeanne H. Lucas (Co–Ch)	10/9/95	1/31/97
Senator Austin M. Allran		
Senator J. Richard Conder		
Senator Dennis H. Davis		
Senator C. R. Edwards		
Seantor Leslie Winner		
(Speaker) Rep. Charlotte Gardner (Co–Ch)	2/23/95	1/31/97
Rep. Joni Bowie		
Rep. Frances Cummings		
Rep. Edd Nye		
Rep. Carolyn Russell		
Rep. William Wainwright		
ECONOMIC DEVELOPMENT BOARD	Term–four years/staggered	
G.S. 143B–434		
(Pro Tem) Senator David W. Hoyle	8/5/93	6/30/97
Senator Elaine F. Marshall (**Resigned**)	8/5/93	6/30/97
Senator Wilbur P. Gulley [**UT**—Marshall]	4/11/95	6/30/97
Senator J. Richard Conder	8/9/95	6/30/99
Senator Aaron W. Plyler	8/9/95	6/30/99
(See also Appointments of Lieutenant Governor)		
(Speaker) Rep. Cherie Berry	8/23/95	7/1/99
Rep. Jack Hunt	9/13/93	7/1/97
Rep. H. Mickey Michaux, Jr.	9/13/93	7/1/97
Rep. George S. Robinson	8/23/95	7/1/99
ECONOMIC DEVELOPMENT COMMISSION, NORTHEASTERN NORTH CAROLINA REGIONAL	Term–four years	
G.S. 158–8.2	**Report**–by 3/31 Annually	
(Pro Tem) Mr. Ray E. Hollowell, Jr.*	10/27/93	1997
Honorable Troy L. Mayo*	10/27/93	1997
Mrs. Mary P. Lilley*	10/27/93	1997
Honorable Andrew B. Allen*	10/27/93	1997
Mr. D. Ben Berry*	7/31/95	6/30/99
(Speaker) Chancellor Jimmy R. Jenkins*	10/26/93	6/30/97
Mr. Grover L. Edwards, Sr.*	10/26/93	6/30/97
Mr. Charles H. Shaw, Jr.*	10/26/93	6/30/97
Mr. Edmond Buckman, Sr.*	7/27/95	6/30/99
Mr. G. B. Warner*	7/27/95	6/30/99
ECONOMIC DEVELOPMENT COMMISSION, SOUTHEASTERN NORTH CAROLINA REGIONAL	Term–four years/staggered	
G.S. 158–8.3	**Report**–by 3/31 Annually	
(Pro Tem) Mr. Danny Fore*	7/31/95	6/30/99
Mr. William W. Phipps*	8/3/93	6/30/97
Ms. Jane Smith*	8/3/93	6/30/97
Mr. Johnny Sutton* (**Resigned**)	8/3/93	6/30/97
Mr. G. R. Kindley, Jr.* [**UT**—Sutton*]	8/1/95	6/30/97
Mr. Wayne L. Lofton*	7/31/95	6/30/99
(See also Appointments of Lt. Governor)		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
ECONOMIC DEVELOPMENT COMMISSION, SOUTHEASTERN NORTH CAROLINA REGIONAL (Continued)		
(Speaker) Mr. Rod Bullard* (**Resigned**)	2/16/94	6/30/97
Mr. Kermit Williamson* [**UT**—Bullard*]	3/8/95	6/30/97
Mr. James Allen Cartrette*	2/16/94	6/30/97
Mr. Robert Deese*	2/16/94	6/30/97
Mr. Wyatt G. Upchurch*	7/27/95	6/30/99
Mr. George Rountree III*	7/27/95	6/30/99
ECONOMIC DEVELOPMENT COMMISSION, WESTERN NORTH CAROLINA REGIONAL	Term–four years/staggered	
G.S. 158–8.1—see Ch. 488, Sec. 49, 1995 S.L. (HB 897)	**Report**–by 3/31 annually	
(Pro Tem) Mr. Matthew Bacoate*	8/5/93	6/30/97
Mr. Giles D. Beal, III* (**Resigned**)	8/5/93	6/30/97
Ms. Wanda Profitt*	8/5/93	6/30/97
Ms. Juanita Dixon*	7/31/95	7/1/99
Mr. David P. Huskins*	7/31/95	7/1/99
Mr. Kenneth C. Feagin*	7/31/95	6/30/99
Mr. Thomas K. Jenkins*	7/31/95	6/30/99
Mr. William F. Forsyth* [**UT**—Beal]	12/15/95	6/30/97
(See also Appointments of Lt. Governor)		
(Speaker) Dr. Harry Jarrett* (**Resigned**) 1/18/94	6/30/97	
Mr. Gordon S. Myers*	1/18/94	6/30/97
Mr. Harold Stallcup*	1/18/94	6/30/97
Mr. Marty Kimsey*	9/8/95	6/30/99
Mrs. Ann Robinson*	9/8/95	6/30/99
Mr. R. Tracy Walker*	9/8/95	6/30/99
Mr. John Wellborn*	9/8/95	6/30/99
Mr. Roger Hill* (**UT**—Jarrett)	9/28/95	6/30/97
EDUCATION ISSUES COMMITTEE/LRC		
Ch. 542, Sec. 2.1(7), 1995 S.L. (HB 898)	**Report**–1996; 1997 Session	
(Pro Tem) Senator J. Clark Plexico (Co–Ch)	11/29/95	1/15/97
Senator Wib Gulley	11/13/95	1/15/97
Senator Teena S. Little		
Dr. Charles Coble*		
Ms. Cynthia Fields*		
Senator Roy A. Cooper III	11/20/95	1/15/97
Dr. Linda Miller*		
Ms. Janet Rose*		
Mr. Johnny Tillett*		
Mr. Kenny Deloatch	11/29/95	1/15/97
(Speaker) Rep. Fern Shubert (Co–Ch)	10/25/95	1/15/97
Rep. Gene Arnold		
Rep. Willis Brown		
Rep. Rick Eddins		
Rep. Stan Fox		
Rep. Stephen Wood		
Rep. Douglas Yongue		
Rep. Michael P. Decker	11/27/95	1/15/97
Rep. Paul Wayne Sexton	11/30/95	1/15/97
Rep. Cynthia Watson		
(LRC Coordinator) Senator Ed Warren		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
EDUCATION OVERSIGHT COMMITTEE, JOINT LEGISLATIVE		Term–two years
G.S. 120–70.80		
(Pro Tem) Senator Leslie Winner (Co–Ch)	8/10/95	1/31/97
Senator Charles S. Dannelly		
Senator Fletcher L. Hartsell, Jr.		
Senator Fred M. Hobbs		
Senator Jeanne Hopkins Lucas		
Senator Beverly M. Perdue		
Senator J. Clark Plexico		
Senator Dan R. Simpson		
(Speaker) Rep. Robert Grady (Co–Ch)	2/23/95	1/30/97
Rep. Jim Black		
Rep. Frances Cummings		
Rep. Ed McMahan		
Rep. Bill Owens		
Rep. Jean Preston		
Rep. Gene Rogers		
Rep. Steve Wood		
EDUCATION STANDARDS AND ACCOUNTABILITY COMMISSION, NORTH CAROLINA		Term–four years
G.S. 115C–105.2—see Ch. 324, Sec. 17.12, 1995 S.L. (HB 229)		**Report–7**/1Annually
(Pro Tem) Senator William N. Martin	8/6/93	
Dr. W. W. Harvey, Jr.*		
Ms. Deborah Langsam*		
Dr. Linda M. Stroud*		
(Speaker) Rep. Anne C. Barnes	9/13/93	8/1/97
Chancellor Lloyd V. Hackley*		
Mr. Eugene W. Allison*		
Ms. Linda Starkweather		
EDUCATIONAL SERVICES FOR EXCEPTIONAL CHILDREN, COUNCIL		
G.S. 115C–121		Term–two years
(Pro Tem) Senator Charlie Dannelly	10/11/95	6/30/97
Senator Teena S. Little		
(Speaker) Rep. Charlotte A. Gardner	7/1/95	6/30/97
Rep. Cindy Watson	7/1/95	6/30/97
ELECTION LAWS REFORM COMMITTEE/LRC		
Ch. 542, Sec. 2.1(8), 1995 S.L. (HB 898)	**Report**–1996; 1997 Session	
(Pro Tem) Senator Wib Gulley (Co–Ch)	11/29/95	1/15/97
Senator Daniel E. Page	11/13/95	1/15/97
Senator J. Clark Plexico		
Senator Leslie Winner		
Ms. Sara Gulledge*		
Mr. Jerry Meek*		
Mr. Lee Mortimer*		
(Speaker) Rep. Lanier Cansler (Co–Ch)	10/25/95	1/15/97
Rep. Willis Brown		
Rep. Frances Cummings		
Rep. Linwood Mercer		
Rep. John M. Rayfield		
Rep. John Weatherly		
(LRC Coordinator) Rep. Connie Wilson		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
ELECTROLYSIS EXAMINERS, NORTH CAROLINA BOARD OF		
G.S. 88A–5		Term–three years
(Pro Tem) Ms. Dianne Marlowe Van Dyke*	8/31/96	8/31/99
(Speaker) Ms. Dorenda Stilwell*	2/15/96	8/31/98
EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL		
G.S. 143–510	Term–Coincides with term of Office	
(Pro Tem) Senator Patrick Ballantine (**Resigned**)	8/9/95	1/31/97
Senator James Speed		
Senator R. L. Clark [UT–Ballantine]	11/30/95	1/31/97
(Speaker) Rep. Charles M. Beall	8/29/95	12/31/96
Rep. J. Sam Ellis		
EMPLOYEE HOSPITAL AND MEDICAL BENEFITS COMMITTEE		
G.S. 135–38—see also Ch. 229, 1995 S.L. (SB 755)		Term–two years
(Pro Tem) Senator Tony Rand (Designee)	2/16/95	12/31/96
Senator J. Richard Conder	2/16/95	1/14/97
Senator James Forrester		
Senator Henry McKoy		
Senator Aaron W. Plyler		
Senator J.K. Sherron, Jr.		
(Speaker) Rep. Jerry C. Dockham (Designee)	8/29/95	6/30/97
Rep. Bobby Harold Barbee, Sr.		
Rep. John A. Cocklereece		
Rep. J. W. Hurley		
Rep. William M. Ives		
Rep. Arlene C. Pulley		
EMPLOYMENT SECURITY LAW/LRC		
Ch. 1, Sec. 5, 1996 Ex.S.L. (SB 2)	**Report**–1996; 1997 Session	
(Pro Tem) Senator Wib Gulley (Co–Ch)	5/9/96	1/15/97
Senator Patrick Ballantine		
Senator John Kerr		
Senator Henry McKoy		
Senator Bill Martin		
Senator Aaron Plyler		
Senator Leslie Winner		
Mr. Charles T. Wilson*		
(Speaker) Rep. Constance K. Wilson (Co–Ch)	4/19/96	1/15/97
Rep. Cary D. Allred		
Rep. Charles M. Beall		
Rep. J. Russell Capps		
Rep. Walter Church, Sr.		
Rep. Louis M. Pate, Jr.		
Rep. John M. Rayfield		
Mr. John Hood*		
ENERGY CONSERVATION COMMITTEE/LRC		
Ch. 542, Sec. 2.1(10), 1995 S.L. (HB 898)	**Report**–1996; 1997 Session	
(Pro Tem) Senator C. R. Edwards (Co–Ch)	12/1/95	1/15/97
Senator Hamilton C. Horton, Jr.	11/13/95	1/15/97
Mr. Chuck Thompson*		
Senator Dan R. Simpson	11/20/95	1/15/97
Ms. Marion Deerhake*		
Mr. Norman Mitchell*		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
ENERGY CONSERVATION COMMITTEE/LRC (Continued)		
(Speaker) Rep. Charles M. Buchanan (Co–Ch)	10/25/95	1/15/97
Rep. M. W. Aldridge		
Rep. Mary McAllister		
Rep. Ken Miller		
Rep. Dennis Reynolds		
Rep. Foyle Hightower	11/27/95	1/15/97
(LRC Coordinator) Senator Ed Warren		
ENERGY POLICY COUNCIL, NORTH CAROLINA	Term–two years	
G.S. 113B–3		
(Pro Tem) Senator Wib Gulley	8/9/95	1/31/97
Senator Paul S. Smith		
(Speaker) Rep. L. W. Locke	9/21/95	1/31/97
Rep. Dennis Reynolds		
ENVIRONMENTAL REVIEW COMMISSION		
G.S. 120–70.42	Term–Pleasure of appointive authority	
(Pro Tem) Senator T. L. "Fountain" Odom (Co–Ch)	10/19/95	1/31/97
Senator Charles W. Albertson		
Senator John Gerald Blackmon		
Senator Roy A. Cooper, III		
Senator Hamilton C. Horton, Jr.		
Senator J. Clark Plexico		
(Speaker) Rep. John Nichols (Co–Ch)	2/23/95	1/31/97
Rep. Arlie Culp		
Rep. L. W. Locke		
Rep. Norris Tolson		
Rep. John H. Weatherly		
Rep. Frank Mitchell	3/15/95	1/31/97
ETHICS, LEGISLATIVE COMMITTEE	Term–Coincides with term of Office	
G.S. 120–99—see also Ch. 180, 1995 S.L. (SB 575)		
(Pro Tem) Senator Roy A. Cooper III (Co–Ch)	3/13/95	1/31/97
Senator Dennis Davis		
Senator Fletcher L. Hartsell, Jr.		
Senator Fountain Odom		
Senator Beverly M. Perdue		
(Speaker) Rep. Julia Howard	2/23/95	1/31/97
Rep. Carolyn Russell **(Resigned)**	2/23/95	1/31/97
Rep. Chuck Neely [UT—Russell]	3/15/95	1/31/97
Rep. Mike Wilkins	3/15/95	1/31/97
Rep. Tom Wright	3/8/95	1/31/97
Rep. Joe Kiser	11/27/95	1/31/97
EXECUTIVE BUDGET ACT REVISION COMMITTEE/LRC		
Ch. 542, Sec. 2.2, 1995 S.L. (HB 898)	**Report**–1996; 1997 Session	
(Pro Tem) Senator Aaron W. Plyler (Co–Ch)	11/6/95	1/15/97
Senator Betsy Cochrane		
Senator R. L. Martin		
Senator William N. Martin		
Senator T. L. Odom		
Honorable George Daniel*		
Honorable Kenneth C. Royall*		
Ms. Susan Ehringhaus*	11/8/95	1/15/97

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
EXECUTIVE BUDGET ACT REVISION COMMITTEE/LRC (Continued)		
(Speaker) Rep. Lyons Gray (Co–Ch)	10/25/95	1/15/97
Rep. Gene Arnold		
Rep. Jerry Braswell		
Rep. Lanier Cansler		
Rep. Liston Ramsey		
Mr. Paul Fulton*		
Mr. James E. Harrington*		
Rep. George M. Holmes	11/30/95	1/15/97
(LRC Coordinator) Senator R. L. Martin		
FAMILY, COMMISSION ON THE	Term–coincides with term of office	
G.S. 120–70.72	**Report**–February 1, odd–numbered years	
(Pro Tem) Senator J. Clark Plexico (Co–Ch)	10/17/95	
Senator Robert Carpenter		
Senator Jeanne Hopkins Lucas		
Ms. Beth A. Martin*		
Mrs. Missouri Morris*		
(Speaker) Rep. Michael Decker (Co–Ch)	6/15/95	1/31/97
Rep. William S. Hiatt		
Rep. J. W. Hurley		
Ms. Susan Minton*		
Mr. William J. Brooks, Jr.*		
FAMILY–CENTERED SERVICES, ADVISORY COMMITTEE	**Report**–10/1Annually	
G.S. 143B–150.7	Term–four years/staggered	
(Pro Tem) Senator Austin M. Allran	8/31/95	6/30/99
Senator Jeanne Hopkins Lucas	8/8/95	6/30/99
Senator Bill Martin	8/8/95	6/30/99
Dr. Denise Everett*	8/8/95	6/30/99
(Speaker) Rep. Cherie Berry	7/7/95	6/30/99
Rep. Michael Decker	7/7/95	6/30/99
Rep. Edd Nye	7/7/95	6/30/99
Mr. Philip Spry*	7/27/95	6/30/99
FINANCIAL INSTITUTIONS ISSUES COMMITTEE/LRC		
Ch. 542, Sec. 2.1(2) and (4), 1995 S.L. (HB 898)	**Report**–1996; 1997 Session	
(Pro Tem) Senator Ed N. Warren (Co–Ch)	11/29/95	1/15/97
Senator Frank W. Ballance, Jr.	11/13/95	1/15/97
Senator John Gerald Blackmon		
Senator Thomas B. Sawyer [**Deceased**]		
Mr. George M. Anderson*		
Mr. J. K. Long*		
Mr. James T. Wilkerson* [**Resigned**]	12/5/95	1/15/97
Senator J. Richard Conder	1/23/96	1/15/97
Ms. Connie Richardson* [**UT**–Wilkerson]	3/20/96	1/15/97
Senator Jesse L. Ledbetter [**ad interim**/Sawyer]	3/27/96	
(Speaker) Rep. Timothy N. Tallent (Co–Ch)	10/25/95	1/15/97
Rep. Walter Church		
Rep. Rick Eddins		
Rep. Eugene McCombs		
Rep. John Nichols		
Rep. Liston Ramsey		
Mr. Charles D. Barbour*		
Rep. W. Edwin McMahan	2/6/96	1/15/97
(LRC Coordinator) Rep. Jerry C. Dockham		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments		Appointed	Expires
FIRST FLIGHT CENTENNIAL COMMISSION		Term–two years/staggered	
G.S. 143–640		**Report**–by 7/1/95; within 30 days of convening each Regular Session; Final by 6/30/2004	
(Pro Tem)	Mr. Melvin Daniels*	9/21/94	7/1/97
	Colonel James "Red" Smith*	7/26/96	7/1/98
	Mr. Mark Selph*	7/26/96	7/1/98
	Mr. John A. Watkins* (**Resigned**)	9/21/94	7/1/97
	Mr. Willard G. Plentl, Jr.* [UT—Watkins*]	4/4/95	7/1/97
(Speaker)	Mrs. Jean Rogers*	1/3/95	6/30/96
	Mr. James Cofield*	12/13/94	6/30/97
	Mr. Kenneth M. McIntyre*	12/13/94	6/30/97
	Ms. Kay Carrington*	6/30/95	6/30/96
(Ex–officio)			
(Pro Tem)	Mr. Joseph G. Deneke* (**Resigned**)	9/29/94	12/31/96
	Ms. Artie Ange* (Designee)[UT—Deneke*]	7/26/96	12/31/96
(Speaker)	Mr. Michael W. Haley* (Designee)	6/30/95	6/30/97
FISHERY INDUSTRY STUDY STEERING COMMITTEE			
Ch. 576, Sec. 3, 1993 S.L. (HB 1540)		**Report**–1995; 1996 Sessions	
(Pro Tem)	Dr. Ford Cross*	10/1/94	
	Mr. Murray Fulcher*		
	Dr. Barbara Garity–Blake*		
	Mr. Melvin Shepard*		
	Mr. Sherrill Styron*		
	Mr. Damon Tatem*		
	Mr. Peter West*		
(Speaker)	Mr. Thomas S. Bowmer*	10/3/94	
	Mr. Joe Huber*		
	Mr. Charles S. Manooch III*		
	Mr. Arden More*		
	Dr. Hahns Pearl*		
	Dr. Kerry Smith*		
	Ms. Susan West*		
	Dr. Steve W. Ross*		10/26/94
FUTURE STRATEGIES FOR NORTH CAROLINA, JOINT LEGISLATIVE COMMISSION ON		Term–two years	
G.S. 120–84.6			
(Pro Tem)	Senator Charlie Albertson	10/11/95	1/29/97
	Senator Jerry Blackmon		
	Senator C. R. Edwards		
	Senator Luther H. Jordan		
	Senator John Kerr		
	Senator Aaron W. Plyler		
(Speaker)	Rep. Dennis Reynolds (Co–Ch)	10/25/95	1/28/97
	Rep. Rex L. Baker		
	Rep. John A. Cocklereece		
	Rep. William C. Owens, Jr.		
	Rep. Tim Tallent		
	Rep. Stephen Wood		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
GENERAL STATUTES COMMISSION		Term–two years
G.S. 164–14		
(Pro Tem) Senator Fletcher L. Hartsell, Jr.	5/16/95	5/31/97
(Speaker) Rep. Bill Culpepper	6/15/95	5/31/97
GENETIC ENGINEERING REVIEW BOARD		Term–three years
G.S. 106–769(1)		
(Pro Tem) Mr. Steven Levitas* [**Resigned**]	7/28/92	6/30/95
Ms. Jane Sharp* [**UT**–Levitas*]	8/5/93	6/30/95
(Speaker) Mr. Bob Everett*	7/27/95	6/30/98
GLOBAL TRANSPARK AUTHORITY, NORTH CAROLINA		
G.S. 63A–3		Term–four years/staggered
(Pro Tem) Hon. Henson Perrymore Barnes*	8/3/93	6/30/97
Mr. Frank B. Holding, Jr.*	8/3/93	6/30/97
Mr. Charles A. Hayes*	7/31/95	6/30/97
(Speaker) Mr. Thomas W. Bradshaw, Jr.*	7/29/93	6/30/97
Mr. Seddon Goode, Jr.*	7/27/95	6/30/99
Mr. J. Gregory Poole, Jr.*	7/27/95	6/30/99
GOVERNMENTAL OPERATIONS COMMISSION, JOINT LEGISLATIVE		Term–two years
G.S. 120–74—see also Ch. 542, Sec. 24.1, 1995 S.L. (HB 898)		
(Pro Tem) Senator Austin M. Allran	3/16/95	1/15/97
Senator Betsy L. Cochrane		
Senator C. R. Edwards		
Senator Fountain Odom		
Senator Beverly M. Perdue		
Senator Aaron W. Plyler		
Senator Anthony E. Rand		
Senator J. K. Sherron, Jr.		
Senator Ed N. Warren		
Senator David W. Hoyle	8/7/95	1/15/97
Senator Roy A. Cooper III	9/15/95	1/15/97
(Speaker) Rep. Jim Crawford	3/10/95	1/15/97
Rep. Leo Daughtry		
Rep. Theresa Esposito		
Rep. Robert Grady		
Rep. Lyons Gray		
Rep. George Holmes		
Rep. Richard Morgan		
Rep. Liston Ramsey		
Rep. George Robinson		
(Ex–Officio)		
Senate – President *Pro Tempore* – Co–Chairman (Senator Marc Basnight)		
Majority Leader (Senator J. Richard Conder)		
House – Speaker – Co–Chairman (Rep. Harold J. Brubaker)		
Speaker *Pro Tempore* (Rep. Carolyn Russell)		
GRANDPARENT VISITATION RIGHTS COMMITTEE/LRC		
Ch. 542, Sec. 2.1(11), 1995 S.L. (HB 898)		**Report**–1996; 1997 Session
(Pro Tem) Senator James Forrester (Co–Ch)	11/30/95	1/15/97
Senator Jeanne H. Lucas	11/13/95	1/15/97
Senator James D. Speed		
Ms. Shellie Bellairs*		
Ms. Shirley Hassell*		
Ms. Roxanne Bragg–Cash*	11/20/95	1/15/97

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
GRANDPARENT VISITATION RIGHTS COMMITTEE/LRC (Continued)		
(Speaker) Rep. Gene Wilson (Co–Ch)	10/25/95	1/15/97
Rep. William T. Culpepper III		
Rep. Michael P. Decker		
Rep. Cynthia B. Watson		
Rep. Michael S. Wilson		
Rep. Charles M. Beall		
(LRC Coordinator) Rep. Edd Nye		
GUARDIAN *AD LITEM* PROGRAM COMMITTEE/LRC		
Ch. 324, Sec. 21.12, 1995 S.L. (HB 229)	**Report**–1996; 1997 Session	
(Pro Tem) Senator Frank W. Ballance, Jr. (Co–Ch)	11/30/95	1/15/97
Senator R. L. Martin	11/13/95	1/15/97
Mr. Al Deitch*		
Ms. Katie Holliday*		
Honorable William Jones*		
Ms. Carol Mattocks*		
Honorable Jerry Tillett*	11/20/95	1/15/97
(Speaker) Rep. William S. Hiatt (Co–Ch)	10/25/95	1/15/97
Rep. J. Russell Capps		
Rep. Robert J. Hensley, Jr.		
Rep. Gregory J. Thompson		
Hon. William E. Neely*		
Dr. Stephen R. Shaffer*		
Rep. Eugene Rogers	11/30/95	1/15/97
(LRC Coordinator) Rep. Edd Nye		
HAZARDOUS WASTE MANAGEMENT COMMISSION Term–two years/staggered		
G.S. 130B–6(c)(2)		
(Pro Tem) Mr. Henry M. Von Oesen*	7/28/92	6/30/94
Ms. Mary Odom*	8/5/93	6/30/95
(Speaker) Ms. Catherine Cameron*	8/3/92	6/30/94
Dr. Jack B. Levy*	10/18/93	6/30/95
HEALTH CARE REFORM COMMISSION, NORTH CAROLINA—formerly—		
HEALTH PLANNING COMMISSION, NORTH CAROLINA Term–two years		
G.S. 143–610—**Renamed**—see Ch. 507, Sec. 23A.3, 1995 S.L. (HB 230)—		
Abolished—see Ch. 17, Sec. 16.1, 1996 2nd Extra S.L. (SB 46)		
	Report–by 4/1 Annually	
(Pro Tem) Mrs. Carmen Hooker* (Co–Ch)	10/12/95	7/31/97
Senator James S. Forrester		
Senator Beverly M. Perdue		
Dr. Robert T. Harris*		
Dr. Frank "Mack" Mauney, Jr.*		
Dr. John Thomas Newton*		
(Speaker) Rep. Zeno L. Edwards (Co–Ch)	8/30/95	
Rep. Bobby Harold Barbee		
Rep. Jerry Dockham		
Rep. Theresa Esposito		
Mr. Robert Morrison*		
Dr. William Parham*		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
HEALTH PLAN PURCHASING ALLIANCE BOARD, STATE		
	Term–four years/staggered	
G.S. 143–625	**Report**–1/1/95—Annually thereafter	
(Pro Tem) Ms. Lavonia Ingram Allison* (**Resigned**)	7/31/95	7/1/99
Mr. Joe A. Connolly*	7/31/95	7/1/99
Ms. Martha Smith Ragsdale*	9/30/93	7/1/97
Mr. Dean Gurley* [**UT**—Allison*]	9/11/95	7/1/99
(See also Appointments of Lt. Governor)		
(Speaker) Ms. Juanita P. Pilgrim*	9/28/93	7/1/97
Mr. G. Gordon Greenwood*	9/28/93	7/1/97
Mrs. Peggy Anne Vaughan*	10/25/95	6/30/97
HEART DISEASE AND STROKE PREVENTION TASK FORCE, NORTH CAROLINA	Term–Terminates upon final report	
Ch. 507, Sec. 26.9(b), 1995 S.L. (HB 230)	**Report**–Interim within one week of 1997 Session; Final by 10/1/97	
(Pro Tem) Senator James Forrester	10/30/95	10/1/97
Senator J. K. Sherron, Jr.		
Senator Ed Warren		
Mr. Jesse Basnight*		
Ms. Marian Duncan*		
Mrs. Ida Friday*		
Mr. Jim Ross*		
Ms. Joan Tuttle*		
(Speaker) Rep. Larry Justus	10/27/95	10/1/97
Rep. Henry Aldridge	10/27/95	10/1/97
Rep. Willis Brown (**Resigned**)	10/27/95	10/1/97
Rep. Beverly Earle [**UT**—W.Brown]	9/23/96	10/1/97
Mr. Charles Cromer*	12/18/95	10/1/97
Ms. Ruth D. Cooper*	12/18/95	10/1/97
Mr. A. H. Mebane III*	12/18/95	10/1/97
Kathleen Magura, R.D.*	12/18/95	10/1/97
Hon. Robert "Bobby" Greer*	1/4/96	10/1/97
HOME AND COMMUNITY CARE FOR OLDER ADULTS, ADVISORY COMMITTEE	Term–Pleasure of appointive authority	
G.S. 143B–181.9A	**Report**–Odd–numbered years	
(Pro Tem) Senator Robert L. Martin	3/15/95	1/31/97
(Speaker) Rep. Charlotte Gardner	3/13/95	1/15/97
HOME INSPECTOR LICENSURE BOARD, NORTH CAROLINA		
G.S. 143–151.46	Term–four years/staggered	
(Pro Tem) Mr. Jimmy A. Hughes*	10/7/94	7/1/97
Mr. Roger R. Pierce*	10/7/94	7/1/98
(Speaker) Mr. Ralph L. McSwain*	12/19/94	6/30/98
Mr. John H. Woodmansee, Ph.D.*	12/19/94	6/30/96
HUMAN RESOURCES, INDEPENDENT STUDY COMMISSION ON THE REORGANIZATION OF THE	Term–Terminates upon final report	
Ch. 18, Sec. 24.20, 1996 2nd Extra S.L. (HB 53)	**Report**–by 4/1/97	
(Pro Tem) Senator William N. Martin (Co–Ch)	8/21/96	4/1/97
Senator Betsy L. Cochrane		
Senator J. Richard Conder		
Senator Charlie Smith Dannelly		
Senator Jeanne Hopkins Lucas		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
HUMAN RESOURCES, INDEPENDENT STUDY COMMISSION ON THE REORGANIZATION OF THE (Continued)		
(Speaker) Rep. Charlotte A. Gardner (Co–Ch)	8/27/96	4/1/97
Rep. Cherie Berry		
Rep. Lyons Gray		
Rep. Julia Howard		
Rep. Edd Nye		
INAUGURAL CEREMONIES COMMITTEE		
G.S. 143–533 Term–July 1 election years—seven days after inauguration		
(Pro Tem) Senator Frank W. Ballance, Jr.	7/25/96	
Senator J. Richard Conder		
Senator Roy A. Cooper III		
(Speaker) Rep. Marie W. Colton	10/5/92	
Rep. Jack Hunt		
Rep. Annie B. Kennedy		
INDIAN EDUCATION, STATE ADVISORY COUNCIL ON		
G.S. 115C–210.1 Term–Pleasure of appointive authority		
(Pro Tem) Senator R. C. Soles, Jr.	10/11/95	
(Speaker) Rep. Ronnie Sutton	3/13/95	1/31/97
INFORMATION HIGHWAY COUNCIL OF ADVISORS, NORTH CAROLINA		
Executive Order No. 68		Term–two years
(Pro Tem) Senator J. Clark Plexico	10/11/95	10/11/97
Mr. Harvey V. Braswell* (**Resigned**)		
Mr. Jimmie B. Hicks, Jr.*		
Dr. Patricia A. Skinner*		
Dr. Steve Scott*		
Senator Jesse L. "Jess" Ledbetter	3/12/96	1/6/97
(Speaker) (Not available at time of printing)		
INFORMATION HIGHWAY GRANTS ADVISORY COUNCIL		Term–two years
Ch. 769, Sec. 10.1(c), 1993 S.L. (SB 1505)		**Report**–1995 Session
(Pro Tem) Senator Elaine Marshall (Co–Ch)	9/20/94	9/1/96
Senator William N. Martin		
Senator Clark Plexico		
Mr. Luther C. Copeland*		
(Speaker) Rep. William L. Wainwright (Co–Ch)	9/13/94	9/1/96
Rep. Anne C. Barnes		
Rep. Lyons Gray		
Mr. John F. Burness*		
INFORMATION RESOURCE MANAGEMENT COMMISSION		Term–four years
G.S. 143B–426.21		
(Pro Tem) Ms. Janet Smith*	7/31/95	6/30/99
(Speaker) Mr. Keith Clark*	7/27/95	6/30/99
INSURANCE ISSUES COMMITTEE/LRC		
Ch. 542, Sec. 2.1(13), 1995 S.L. (HB 898)		**Report**–1996; 1997 Session
(Pro Tem) Senator R. C. Soles, Jr. (Co–Ch)	12/1/95	1/15/97
Senator C. R. Edwards	11/13/95	1/15/97
Ms. Marcia Fearing*		
Ms. Mollie Fearing*		
Mr. John Gainey*		
Mr. Jerry Harris*		
Mr. William Z. Smith*		
Mr. Durant G. Vick*	12/13/95	1/15/97

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
INSURANCE ISSUES COMMITTEE/LRC (Continued)		
(Speaker) Rep. John A. Cocklereece (Co–Ch)	10/25/95	1/15/97
Rep. John W. Hurley		
Rep. W. Edwin McMahan		
Rep. David Miner		
Rep. Michael Wilkins		
Mr. John R. Hicks*		
Mr. Elmer Midgett, Jr.*		
Mr. Steve George*	11/30/95	1/15/97
(LRC Coordinator) Rep. Jerry C. Dockham		
JOB TRAINING PROGRAMS, JOINT LEGISLATIVE STUDY COMMISSION ON	Term–Terminates upon final report	
Ch. 507, Sec. 8.5, 1995 S.L. (HB 230)	**Report**–Interim by 5/1/96; Final by 1997 Convening	
(Pro Tem) Senator Anthony E. Rand (Co–Ch)	8/10/95	1/31/97
Senator Frank W. Ballance		
Senator John H. Carrington		
Senator R. L. Clark		
Senator David W. Hoyle		
Senator Teena Little		
(Speaker) Rep. Cherie K. Berry	9/13/95	1997 Session
Rep. J. Russell Capps		
Rep. James C. Carpenter		
Rep. Julia C. Howard		
Rep. Edd Nye		
Rep. Alex Warner		
JUVENILE JUSTICE SYSTEM, DIVISION OF YOUTH SERVICES/ DHR, ADVISORY PANEL	**Report**–by November 1, 1995	
Ch. 24, Sec. 36, 1994 Extra S.L.—see also Ch. 324, Sec. 23.34, 1995 S.L. (HB 229)		
(Pro Tem) Senator Roy A. Cooper III	4/14/94	
Senator William N. Martin		
Senator Leslie Winner		
(Speaker) Rep. Ruth M. Easterling	10/4/94	3/1/95
Rep. Howard J. Hunter		
Rep. Edd Nye		
JUVENILE LAW STUDY COMMISSION	Term–two/four years	
G.S. 7A–740		
(Pro Tem) Senator Austin M. Allran	7/1/94	6/30/96
Senator David R. Parnell	7/1/94	6/30/96
(Speaker) Rep. Robert H. Hensley, Jr.	9/1/94	6/30/96
Rep. Billy Richardson	9/1/94	6/30/96
LANDS, STATE–OWNED SUBMERGED ADVISORY COMMITTEE	Term–Terminates upon final report	
Ch. 2, 1995 S.L. (HB 67)	**Report**–by 5/1/95	
(Pro Tem) Senator Charles W. Albertson (Co–Ch)	3/3/95	
Mr. Haywood Weeks*		
Mr. Drew Willis*		
Ms. Eve Trow*		
Mr. Claude Wheatly*		
Dr. Jim Easley*		
Mr. Harry Schiffman*		
Mr. Charles Kauth*		
Mr. Terry Pratt*		
Mr. George Rountree*		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
LANDS, STATE–OWNED SUBMERGED ADVISORY COMMITTEE (Continued)		
(Speaker) Mr. David Jones* (Co–Ch)	3/1/95	
Mr. Johnnie C. Baker*		
Ms. Missy Baskerville*		
Mr. Doug Brady*		
Mr. George Thomas "Tom" Davis		
Mr. Gil Dunn*		
Ms. Camilla M. Herlevich*		
Mr. Sam Holcomb*		
Ms. Courtney Hackney*		
Mr. Jim Hamilton*		
LEGISLATIVE ETHICS COMMITTEE—see **ETHICS, LEGISLATIVE**		
LEGISLATIVE RESEARCH COMMISSION		
G.S. 120–30.11	Term–From adjournment, Odd–numbered years through January 15, Next Odd–numbered year	
(Pro Tem) Senator Marc Basnight (Co–Ch)	8/9/95	12/31/96
Senator Frank W. Ballance, Jr.		
Senator R. L. Martin		
Senator Henry McKoy		
Senator J. K. Sherron, Jr.		
Senator Ed N. Warren		
(Speaker) Rep. Harold J. Brubaker (Co–Ch)	8/10/95	1/15/97
Rep. Jerry C. Dockham		
Rep. Edd Nye		
Rep. Larry Linney		
Rep. Gregg Thompson		
Rep. Connie Wilson		
LEGISLATIVE SERVICES COMMISSION	Term–Coincides with term of Office	
G.S. 120–31		
(Pro Tem) Senator Marc Basnight (Ch—1995)	8/9/95	12/31/96
Senator John H. Carrington		
Senator J. Richard Conder		
Senator Wib Gulley		
Senator Teena S. Little		
Senator R. L. Martin		
Senator David R. Parnell		
(Speaker) Rep. Harold J. Brubaker (Ch—1996)	3/15/95	1/31/97
Rep. Gene Arnold		
Rep. Walter Church, Sr.		
Rep. Billy Creech **(Resigned)**		
Rep. Robin Hayes		
Rep. Larry Justus **(Resigned)**		
Rep. Mary E. McAllister		
Rep. C. Robert Brawley [**UT**—Justus]	9/8/95	1/31/97
Rep. Lyons Gray [**UT**—Creech]	9/8/95	1/31/97
Automated Services Subcommittee		
(Pro Tem) Senator David R. Parnell		
Senator Wib Gulley		
(Speaker) Rep. Robin Hayes		
Rep. Walter Church		
Buildings and Grounds Subcommittee		
(Pro Tem) Senator R.L. Martin		
Senator John Carrington		
(Speaker) Rep. Robert Brawley		
Rep. Mary McAllister		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
Design and Layout of Buildings Subcommittee		
(Pro Tem) Senator Tony Rand		
(Speaker) Rep. Richard Morgan		
Expenditure Model Subcommittee		
Ch. 17, Part VII, 1996 2nd Extra S.L.		
(Pro Tem) Senator Wib Gulley	10/23/96	
Senator R. L. Martin	10/23/96	
(Speaker) Rep. Gene G. Arnold	10/1/96	1/31/97
Rep. Lyons Gray		
Personnel and Member Services Subcommittee		
(Pro Tem) Senator J. Richard Conder		
Senator Teena S. Little		
(Speaker) Rep. Lyons Gray		
Rep. Gene Arnold		
LIEN LAWS COMMITTEE/LRC		
Ch. 542, Sec. 2.1(15) and (16), 1995 S.L. (HB 898)	**Report**–1996; 1997 Session	
(Pro Tem) Senator Roy A. Cooper III (Co–Ch)(**Resigned**)	11/30/95	1/15/97
Senator Fletcher L. Hartsell, Jr.	11/13/95	1/15/97
Senator Hamilton C. Horton, Jr.		
Mr. Jim Boniface*	11/30/95	1/15/97
Senator R. C. Soles, Jr.(Co–Ch)[**UT**—Cooper]	1/10/96	1/15/97
Senator Luther H. Jordan, Jr.	1/10/96	1/15/97
(Speaker) Rep. William Edwin McMahan (Co–Ch)	10/25/95	1/15/97
Rep. Daniel T. Blue		
Rep. Charles Franklin Buchanan		
Rep. John Jackson Hunt		
Rep. William Eugene McCombs		
(LRC Coordinator) Rep. Larry Linney		
LOCAL GOVERNMENT ADVOCACY COUNCIL		
G.S. 143–506.14	Term–Coincides with term of Office	
(Pro Tem) Senator Jerry Blackmon	1/14/94	1/15/96
Senator Richard Conder		
(Speaker) Rep. Louis Pate	3/15/95	1/15/97
Rep. Jim Carpenter		
LOCAL GOVERNMENT PARTNERSHIP COUNCIL	Term–two years	
Executive Order No. 21		
(Pro Tem) Senator C. R. Edwards	3/28/95	
Senator Aaron W. Plyler		
(See also Appointment of Lt. Governor)		
(Speaker) Rep. Jim Carpenter	3/29/95	1/31/97
Rep. Louis Pate		
LOW–LEVEL RADIOACTIVE WASTE, JOINT SELECT COMMITTEE	Term–Pleasure of appointive authority	
G.S. 120–70.32		
(Pro Tem) Senator J. Richard Conder (Co–Ch)	8/10/95	1/31/97
Senator Fred Hobbs		
Senator Hamilton C. Horton, Jr.		
Senator David W. Hoyle		
Senator John H. Kerr III		
Senator Paul S. Smith		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
LOW-LEVEL RADIOACTIVE WASTE, JOINT SELECT (Continued)		
(Speaker) Rep. W. W. Dickson (Co–Ch)	9/6/95	1/15/97
Rep. Jerry Braswell		
Rep. C. Robert Brawley		
Rep. Debbie Clary		
Rep. George W. Miller, Jr.		
Rep. David M. Miner		
MANUFACTURED HOUSING BOARD, NORTH CAROLINA	Term–three years	
G.S. 143–143.10		
(Pro Tem) Mr. Durwood Batchelor*	7/31/95	9/30/98
Mr. Billy Glover*	7/31/95	9/30/98
(Speaker) Mr. Larry Gilmore*	7/19/94	9/30/96
Ms. Judy Ward*	7/19/94	9/30/96
MARINE FISHERIES COMPACT WITHDRAWAL COMMITTEE, ATLANTIC STATES/LRC		
Ch. 542, Sec. 2.1(1), 1995 S.L. (HB 898)	**Report**–1996; 1997 Session	
(Pro Tem) Senator Charles W. Albertson (Co–Ch)	11/29/95	1/15/97
Senator R. C. Soles, Jr.		
Mr. John D. Costlow*		
Mr. James C. Fletcher*		
Mr. Melvin M. Shepard, Jr.*		
Mr. Norman Bradford*	12/12/95	1/15/97
(Speaker) Rep. Jonathan Robinson (Co–Ch)	10/25/95	1/15/97
Rep. Zeno L. Edwards, Jr.		
Rep. John M. Nichols		
Rep. Jean R. Preston		
Rep. William O. Richardson		
Mr. Jerry F. Schill*	12/6/95	1/15/97
(LRC Coordinator) Senator Henry McKoy		
MARTIN LUTHER KING, JR. COMMISSION	Term–four years	
G.S. 143B–426.34B		
(Pro Tem) Senator C.R. Edwards	10/9/95	6/30/99
Senator Jeanne Hopkins Lucas		
(Speaker) Rev. C. W. Petress*	7/1/95	6/30/99
Mrs. Vivian C. Bowser*	1/25/96	6/30/99
MEDICAID IN NORTH CAROLINA, BLUE RIBBON TASK FORCE ON THE ISSUE OF THE POTENTIAL IMPACT OF FEDERAL BLOCK GRANT FUNDING AND OTHER FEDERAL ACTIONS ON		
Ch. 507, Sec. 23.5A, 1995 S.L. (HB 230); Ch. 17, Sec. 11.1 (SB 46); Ch. 18, Sec. 24.32 (HB 53), 1996 2nd Extra S.L.	**Report**–within one week of 1997 Session	
(Pro Tem) Senator William N. Martin (Co–Ch)	10/9/95	
Senator Betsy L. Cochrane		
Senator Roy A. Cooper III		
Senator Charlie Smith Dannelly		
Senator Jim Forrester		
Senator John H. Kerr III **[Resigned]**		
Senator Wib Gulley [UT–Kerr]	10/17/95	
(Speaker) Rep. Theresa Esposito (Co–Ch)	9/8/95	5/20/96
Rep. Cherie K. Berry		
Rep. Lanier M. Cansler		
Rep. James C. Carpenter		
Rep. Julia C. Howard		
Rep. William L. Wainwright		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments		Appointed	Expires
MENTAL HEALTH STUDY COMMISSION	Term–coincides with term of office		
Ch. 806, 1973 S.L.—see Ch. 873, Sec. 21.1, 1987 S.L.; Ch. 802, Sec. 7.1, 1989S.L.; Ch.754, Sec. 6.1, 1991 S.L.; Ch. 771, Sec. 1.1, 1993 S.L. —**Reestablished**—see Ch. 542, Sec. 13.1, 1995 S.L. (HB 898)—**Repealed**—see Ch. 18, Sec. 24.8(b), 1996 2nd Extra S.L. (HB 53)	**Report**–Interim by 5/15/96; Final by 3/15/97		
(Pro Tem)	Senator Leslie Winner (Co–Ch)	8/11/95	
	Senator Robert C. Carpenter		
	Senator J. Richard Conder		
	Senator Charlie S. Dannelly		
	Senator Jeanne H. Lucas		
	Senator R. L. Martin		
	Senator William N. Martin		
	Honorable Ollie Harris* (**Deceased**)		
	Honorable Marvin Ward* [**UT**—Harris*]	2/14/96	
(Speaker)	Rep. Charlotte Gardner (Co–Ch)	9/12/95	3/15/97
	Rep. Martha Alexander		
	Rep. Cherie Berry		
	Rep. Jim Crawford		
	Rep. Julia Howard		
	Rep. Cindy Watson		
	Rep. Gene Wilson		
	Ms. Lou B. Wilson*		
MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, LEGISLATIVE STUDY COMMISSION	Term–two years		
G.S. 120–204—see Ch. 18, Sec. 24.8, 1996 2nd Extra S.L. (HB 53)	**Report**–Regular Sessions		
(Pro Tem)	(Not available at time of printing)		
(Speaker)	(Not available at time of printing)		
MINORITY HEALTH ADVISORY COUNCIL	Term–two years/four years staggered		
G.S. 130A–33.43			
(Pro Tem)	Senator Jeanne H. Lucas	7/11/96	6/30/98
	Senator Charlie Dannelly	7/11/96	6/30/98
	Mrs. Delores Steele* (**Resigned**)	9/29/94	6/30/98
	Mr. Harold Ramseur*	9/29/94	6/30/98
	Mr. Sammie Jacobs*	10/11/95	6/30/99
	Dr. Elaine Hart–Brothers* [**UT**—Steele*]	1/11/96	6/30/98
(Speaker)	Rep. Frances McArthur Cummings	7/1/96	6/30/98
	Rep. Thomas E. Wright	7/1/96	6/30/98
	Mr. Stanley L. Allen, DDS*	8/3/94	6/30/98
	Mr. Charles E. Blair, MD*	8/3/94	6/30/98
	Mr. Robert R. Wittmann*	7/1/95	6/30/99
MUNICIPAL INCORPORATIONS, JOINT LEGISLATIVE	Term–two years		
G.S. 120–158			
(Pro Tem)	Senator Fletcher L. Hartsell, Jr.	10/11/95	6/30/97
	Senator Wib Gulley		
	Mr. Ed Burchins*		
(Speaker)	Rep. J. W. Hurley	7/1/95	6/30/97
	Rep. Clayton Loflin		
	Rep. Louis M. Pate, Jr.		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
NEW LICENSING BOARDS, LEGISLATIVE COMMITTEE	Term–two years	
G.S. 120–149.6		
(Pro Tem) Senator Paul S. Smith (Chairman)	5/15/96	1/15/97
Senator David R. Parnell		
Senator Frank W. Ballance, Jr.	4/19/95	1/15/97
Senator Fred M. Hobbs		
Senator R. C. Soles, Jr.		
(Speaker) Rep. Michael Decker	4/13/95	1/30/97
Rep. Linwood Mercer		
Rep. Frank Mitchell		
Rep. Wilma Sherrill		
NURSING, NORTH CAROLINA CENTER FOR, BOARD OF DIRECTORS		
G.S. 90–171.71	Term–three years/staggered	
(Pro Tem) Mr. Rick Gilstrap*	7/31/95	6/30/98
Ms. Barbara Morris*	7/20/94	6/30/97
Ms. Judy Seamon* **(Resigned)**	7/20/94	6/30/97
Ms. Shirley Mayo* [UT—Seamon*]	7/31/95	6/30/97
Dr. Patricia Ann Chamings*	8/5/93	6/30/96
(Speaker) Ms. Cynthia R. Morgan*	7/27/95	6/30/98
Ms. Cathy Chapman*	7/20/94	6/30/97
Ms. Polly H. Godwin*	7/31/96	6/30/99
Ms. Suzanne Freeman*	7/31/96	6/30/99
NURSING SCHOLARS COMMISSION, NORTH CAROLINA		
G.S. 90–171.60	Term–four years/staggered	
(Pro Tem) Ms. Wanda Boyette*	7/31/95	6/30/99
Ms. Elizabeth Fearing* **(Resigned)**	8/5/93	6/30/97
Ms. Deborah Newcomb* [UT—Fearing*]	2/3/95	6/30/97
Ms. JoAnn Schoen*	8/5/93	6/30/97
(Speaker) Ms. Hettie L. Garland*	2/16/94	6/30/97
Dr. Ernestine B. Small*	2/16/94	6/30/97
Ms. Donna White*	7/27/95	6/30/97
OYSTERS, BLUE RIBBON ADVISORY COUNCIL ON		
Ch. 769, Sec. 27.16, 1993 S.L.—see also Ch. 324, Sec. 26.8C (HB 229); Ch. 507, Sec. 26.5(f) (HB 230), 1995 S.L.	**Report**–Quarterly beginning 10/1/94; Final by 10/1/95	
(Pro Tem) Mr. Lawrence Gill*	9/26/94	10/1/95
Mr. Raymond T. Graham*	9/21/94	10/1/95
Mr. Joe Huber*	9/21/94	10/1/95
Mr. Gary Mayo*	9/21/94	10/1/95
Dr. Walter Timm*	9/21/94	10/1/95
(Speaker) Mr. Wayne Bland*	10/25/94	10/1/95
Mr. George H. Gilbert*		
Mr. Jeff Milliken*		
Mr. Melvin Shepard*		
Mr. Jim Swartzenberg*		
PARKS AND RECREATION AUTHORITY, NORTH CAROLINA	Term–two years/staggered	
G.S. 143B–313.2—see Ch. 456, 1995 S.L. (HB 718); Ch. 15, Sec. 16.1, 1996 2nd ExtraS.L. (HB 61)	**Report**–Annually	
(Pro Tem) Ms. Kathy Sherron*	8/9/96	6/30/98
Mr. Troy Boyd*		
Mr. Tom Garrison, Sr.*		
Mr. Roy Alexander*		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
PARKS AND RECREATION AUTHORITY, NORTH CAROLINA (Continued)		
(Speaker) Dr. G. Robert Horton*	7/31/96	6/30/98
Ms. Drane McCall*	7/31/96	6/30/98
Ms. Ann Orr*	8/30/96	6/30/98
Mr. Glenn T. Pope*	8/30/96	6/30/98
PASTORAL COUNSELORS, STATE BOARD OF EXAMINERS OF FEE–BASED PRACTICING		
G.S. 90–385	Term–four years/staggered	
(Pro Tem) Dr. Lyman Ferrell*	10/1/95	9/30/99
Mr. Philip R. Adams*	10/1/93	9/30/97
(Speaker) Rev. Lee S. Dukes III*	1/11/96	9/30/97
Mr. Russell Williams	3/21/96	9/30/97
PERSONNEL—see **STATE PERSONNEL**		
PERSONNEL ISSUES COMMITTEE/LRC		
Ch. 542, Sec. 2.1(20) and 2.5, 1995 S.L. (HB 898)	**Report**–1996; 1997 Session	
(Pro Tem) Senator R. C. Soles, Jr. (Co–Ch)	11/30/95	1/15/97
Senator Charlie S. Dannelly	11/13/95	1/15/97
Senator Fred M. Hobbs		
Senator James D. Speed		
Mr. C. R. Chapman*		
Mr. Robert W. Trost*	11/20/95	1/15/97
Mr. Ira Schwarz*	11/30/95	1/15/97
Mr. E. Clark Edwards*	12/18/95	1/15/97
Mr. Dan Emory*		
Senator Perdue	1/30/96	1/15/97
(Speaker) Rep. Wilma Sherrill (Co–Ch)	10/25/95	1/15/97
Rep. Robert Grady		
Rep. Arlene Pulley		
Rep. Liston Ramsey		
Rep. John M. Rayfield		
Rep. Carolyn Russell		
Rep. Norris Tolson		
Rep. Arlie Culp	11/27/95	1/15/97
Rep. Eugene McCombs		
Ms. Jeanne Horton*	1/23/96	1/15/97
(LRC Coordinator) Rep. Gregory J. Thompson		
PHYSICAL FITNESS AND HEALTH, GOVERNOR'S COUNCIL	Term–two years	
G.S. 130A–33.41		
(Pro Tem) Senator Ed Warren (**Resigned**)	8/9/95	7/1/97
Senator R. L. "Bob" Martin [UT–Warren]	2/1/96	7/1/97
(Speaker) Rep. Wayne Sexton	7/7/95	6/30/97
PRINCIPAL FELLOWS COMMISSION, NORTH CAROLINA	Term–four years	
G.S. 116–74.41		
(Pro Tem) Ms. Sue Anderson*	7/31/95	6/30/99
(Speaker) Mr. Henry Kluttz*	7/27/95	6/30/99

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
PRIVATE PROTECTIVE SERVICES BOARD	Term–three years	
G.S. 74C–4(b)—see also Ch. 490, Sec. 39, 1995 S.L. (SB 901)		
(Pro Tem) Mr. Rodney D. Ballance, Jr.* (**Resigned**)	8/5/93	6/30/96
Mr. Samuel Smith [UT—Ballance*] (**Resigned**)	8/27/93	6/30/96
Mr. William A. Allen* [UT—Smith*]	12/8/94	6/30/96
(See also Appointment of Lieutenant Governor)		
(Speaker) Mr. Mack Donaldson*	7/20/94	6/30/97
Mr. Melvin Gregory Scott*	7/27/95	6/30/98
Mr. Tobin Allen Henry*	7/31/96	6/30/99
PROFESSIONAL TEACHING STANDARDS COMMISSION— see **TEACHING STANDARDS COMMISSION**		
PROGRESS BOARD, NORTH CAROLINA	Term–four years/staggered	
G.S. 143B–372.1—see Ch. 117, 1995 S.L. (HB 456)	**Report**–1997 Session	
(Pro Tem) Senator Luther Henry Jordan, Jr.	10/30/95	7/1/99
Senator J. Clark Plexico	2/1/96	7/1/99
Mr. Norwood E. Worley*		
(Speaker) Mr. John Candler*	12/20/95	6/30/99
Mr. Dan Dawson*	12/20/95	6/30/97
Mr. Howard Thomas*	12/20/95	6/30/99
PROPERTY ISSUES COMMITTEE/LRC		
Ch. 542, Sec. 2.1(18), 1995 S.L. (HB 898)	**Report**–1996; 1997 Session	
(Pro Tem) Senator Fletcher L. Hartsell, Jr. (Co–Ch)	11/29/95	1/15/97
Senator John H. Carrington	11/13/95	1/15/97
Senator T. L. Odom		
Mr. Dan Clodfelter*		
Mr. Franz Holscher*		
Mr. Webb Fuller*	11/29/95	1/15/97
Mr. John M. Tyson*		
Dean Judith Wegner*		
(Speaker) Rep. J. Sam Ellis (Co–Ch)	10/25/95	1/15/97
Rep. Cary Dale Allred		
Rep. Beverly Miller Earle		
Rep. John William Hurley		
Rep. Arlene Pulley		
Rep. Wilma M. Sherrill		
Rep. Larry Wayne Womble		
Hon. Robert Northington, Jr.*		
(LRC Coordinator) Rep. Larry Linney		
PROPERTY TAX COMMISSION	Term–two/four years	
G.S.105–288		
(Pro Tem) (Term–Four Years)		
Mr. Terry Wheeler*	7/31/95	6/30/99
(Speaker) (Term–Two years)		
Mr. James R. Vosburgh*	7/27/95	6/30/97

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
PUBLIC HEALTH STUDY COMMISSION	Term–two years/staggered	
G.S. 120–197—see also Ch. 507, Sec. 23A.6, 1995 S.L. (HB 230)		
	Report–within 30 days of each biennial session	
(Pro Tem) Senator Roy Cooper (Co–Ch)	10/16/95	6/30/96
Senator Patrick Ballantine	10/16/95	6/30/96
Senator James Forrester	10/16/95	6/30/96
Senator Jeanne Lucas	10/16/95	6/30/96
Senator Bill Martin	10/16/95	6/30/96
Ms. Susan Neeley*	10/16/95	6/30/97
Mr. Robert Parker*	10/16/95	6/30/97
(See also Appointments of Lieutenant Governor)		
(Speaker) Rep. Zeno L. Edwards, Jr. (Co–Ch)	10/25/95	6/30/96
Rep. M. W. Aldridge		
Rep. Theresa H. Esposito		
Rep. John R. Gamble, Jr.		
Rep. John M. Nichols		
Mr. Dennis E. Harrington*	10/25/95	6/30/97
Dr. Stephen Robert Keener*	10/25/95	6/30/97
PUBLIC SCHOOL FORUM	Term–Coincides with term of Office	
By–laws Public School Forum		
(Pro Tem) Senator William N. Martin	3/9/95	1/1/97
Senator J. Clark Plexico	3/9/95	1/1/97
Senator Anthony E. Rand **(Resigned)**	3/9/95	1/1/97
Senator Teena S. Little [UT—Rand]	6/5/95	1/1/97
Senator Leslie Winner	3/9/95	1/1/97
(See also Appointment of Lt. Governor)		
(Speaker) Rep. Walter W. Dickson	2/23/95	1/1/97
Rep. Robert Grady **(Resigned)**		
Rep. Jean Preston		
Rep. Steve Wood		
Rep. Fern Shubert [UT—Grady]	3/8/95	1/1/97
QUALITY LEADERSHIP AWARDS COUNCIL, NORTH CAROLINA		
Executive Orders No. 10; 13	Term–Pleasure of appointive authority	
(Pro Tem) Mr. Ed Burchins*	10/5/93	
(See also Appointments of Lt. Governor)		
(Speaker) Ms. Linda Ashendorf*	7/1/90	6/30/93
RAIL COUNCIL, NORTH CAROLINA	Term–two years	
G.S. 143B–363		
(Pro Tem) Senator R. L. Martin	8/7/95	7/1/97
Mr. Bruce A. Radford*		
(Speaker) Rep. Danny McComas	7/1/95	6/30/97
Rep. David Miner		
RAILROAD ADVISORY COMMISSION	Term–Pleasure of appointive authority	
Ch. 754, Sec. 3.1 (S.B. 917); Ch. 1044, Sec. 8 (S.B. 1205), 1991 S.L.		
(Pro Tem) Senator Roy A. Cooper III	1/18/94	
Senator David Hoyle		
(Speaker) Rep. Joanne W. Bowie	12/20/93	
Rep. Paul Luebke		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
REAL ESTATE APPRAISAL BOARD	Term–three years/staggered	
G.S. 93E–1–5—see also Ch. 482, Sec. 5, 1995 S.L. (HB 443);		
Ch. 15, Sec. 16, 1996 2nd Extra S.L. (HB 61)		
(Pro Tem) Mr. Jack O. Horton*	10/2/96	6/30/99
(Speaker) Mr. Tom Keith*	7/1/96	6/30/99
REDISTRICTING, SENATE SELECT COMMITTEE		
G.S. 120–19.6		
(Pro Tem) Senator Roy A. Cooper III (Ch)	7/8/96	
Senator Charles W. Albertson		
Senator Frank W. Ballance, Jr.		
Senator Patrick J. Ballantine		
Senator Betsy L. Cochrane		
Senator J. Richard Conder		
Senator James Forrester		
Senator Wib Gulley		
Senator David W. Hoyle		
Senator Donald R. Kincaid		
Senator R. L. Martin		
Senator William N. Martin		
Senator Tony Rand		
Senator R. C. Soles, Jr.		
Senator Leslie Winner		
REVENUE AND TAX ISSUES COMMITTEE/LRC		
Ch. 491 (SB 1049);		
Ch. 542, Sec. 2.1(19) (HB 898), 1995 S.L.	**Report**–1996; 1997 Session	
(Pro Tem) Senator John H. Kerr III (Co–Ch)	11/30/95	1/15/97
Senator Roy A. Cooper III	11/13/95	1/15/97
Senator Fletcher L. Hartsell, Jr. (**Resigned**)		
Senator R. C. Soles, Jr.		
Dr. James Crapo*		
Mr. James Deneke*		
Mr. Leonard Jones*		
Mr. James Seay*	11/30/95	1/15/97
Senator Betsy L. Cochrane [**UT**—Hartsell]	1/16/96	1/15/97
(Speaker) Rep. Charles B. Neely, Jr. (Co–Ch)	10/25/95	1/15/97
Rep. Daniel T. Blue		
Rep. Lanier M. Cansler		
Rep. J. Russell Capps		
Rep. Walter G. Church, Sr.		
Rep. George S. Robinson		
Rep. Larry Shaw		
Rep. Fern Shubert	11/30/95	1/15/97
(LRC Coordinator) Senator R. L. Martin		
RIVER WATER QUALITY AND FISH KILLS, SENATE SELECT COMMITTEE		
G.S. 120–19.6	**Report**–1997 Session	
(Pro Tem) Senator Beverly M. Perdue (Ch)	9/24/96	
Senator Charles W. Albertson		
Senator Patrick J. Ballantine		
Senator J. Richard Conder		
Senator R. L. Martin		
Senator T. L. "Fountain" Odom		
Senator Anthony E. Rand		
Senator Robert G. Shaw		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
ROANOKE ISLAND COMMISSION	Term–two years/staggered	
G.S. 143B–131.2—see also Ch. 507, Sec. 12.6, 1995 S.L. (HB 230)		
(Pro Tem) Mr. Luther Daniels*	10/1/94	10/1/96
Ms. Dawn Evans*	10/1/94	10/1/97
Mr. Keith Fearing* **(Resigned)**	10/1/94	10/1/97
Mr. Ray Evans* [**UT**—Fearing*]	7/31/95	10/1/97
Mr. Gus Granitzki*	10/1/94	10/1/96
Ms. JoAnn Williams*	10/1/94	10/1/96
Ms. Bebe Woody*	10/1/94	10/1/97
(Speaker) Mr. Gerald J. Beshens*	10/10/96	10/1/98
Mr. George A. Embrey*	10/10/96	10/1/98
Mrs. Delia "Dee" B. McManus*	10/10/96	10/1/98
Mr. Charles D. Evans*	10/6/94	10/1/97
Mrs. Angel E. Khoury*	10/6/94	10/1/97
Mrs. Ellen Newbold*	10/6/94	10/1/97
SCHOOL CAPITAL CONSTRUCTION STUDY COMMISSION		
Ch. 542, Sec. 14.1, 1995 S.L. (HB 898)	Term–Terminates upon final report	
	Report–Progress Report by 1/15/96; Final by 4/15/96	
(Pro Tem) Senator Fred M. Hobbs (Co–Ch)	8/18/95	4/15/96
Senator J. Richard Conder	8/18/95	4/15/96
Senator C. R. Edwards	8/11/95	4/15/96
Senator J. Mark McDaniel	8/11/95	4/15/96
Senator Leslie Winner	8/11/95	4/15/96
Mr. Michael L. Weisel*	8/11/95	4/15/96
(Speaker) Rep. N. Leo Daughtry (Co–Ch)	8/30/95	4/15/96
Rep. Gene G. Arnold		
Rep. Lyons Gray		
Rep. Fern Shubert		
Mr. Kay Carroll*		
Dr. Michael Walden*		
SCHOOL HEALTH ADVISORY COMMITTEE, STATE	Term–three years	
G.S. 115C–81(e)(6)(c)		
(Pro Tem) Senator James Forrester	8/18/94	6/30/97
(Speaker) Rep. Howard C. Barnhill	9/1/93	6/30/96
SCHOOL SITE–BASED MANAGEMENT, TASK FORCE ON	Term–two years	
G.S. 115C–238.7—see also Ch. 324, Sec. 17.8, 1995 S.L. (HB 229)		
	Report–biennially	
(Pro Tem) Senator Beverly M. Perdue	8/24/92	9/1/96
Mr. Frederick L. Bartholomew*		
Mr. Bobby R. Kornegay*		
Mrs. Julia Kron*		
Dr. John A. Murphy* **(Resigned)**		
Senator Roy A. Cooper III	12/31/92	9/1/96
Dr. Frank Yeager* [**UT**—Murphy]	1/17/96	9/1/96
Senator Fletcher L. "Fletch" Hartsell, Jr. **[ad hoc advisory member]**	3/12/96	
(Speaker) Rep. Anne C. Barnes	9/1/94	6/30/96
Rep. Gene Rogers		
Mr. Robert Bingham*		
Ms. Sarah K. Stewart*		
Dr. Vivian Woodall*		
Dr. Norma Sermon–Boyd		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments		Appointed	Expires
SCHOOL TECHNOLOGY, COMMISSION ON			Term–two years
G.S. 115C–102.5			
(Pro Tem)	Mr. Gary Stepp* (Co–Ch)	7/31/95	6/30/97
	Mr. Terry Mitchell*	7/31/95	6/30/97
	Mrs. Brenda Tinkam*	7/31/95	6/30/97
	Mr. Fred Bartholomew*	7/31/95	6/30/97
(Speaker)	Ms. Susan Burroughs*	7/27/95	6/30/97
	Ms. Betsy Justus* (Co–Ch)	7/27/95	6/30/97
	Ms. Judy Kennedy*	7/27/95	6/30/97
	Mr. Wallace Nelson*	7/27/95	6/30/97
SEAFOOD AND AQUACULTURE, JOINT LEGISLATIVE COMMISSION ON			
G.S. 120–70.61		Term–Coincides with Office	
(Pro Tem)	Senator Charles W. Albertson (Co–Ch)	8/10/95	1/31/97
	Senator Luther H. Jordan, Jr.		
	Senator Beverly Perdue		
	Senator Robert G. Shaw		
(Speaker)	Rep. Jean Preston (Co–Ch)	3/15/95	1/31/97
	Rep. Bill Culpepper (**Resigned**)		
	Rep. Robert Grady		
	Rep. John Nichols (**Resigned**)		
	Rep. Zeno L. Edwards,Jr. [**UT**—Culpepper]	6/15/95	1/31/97
	Rep. Jonathan Robinson [**UT**—Nichols]	9/8/95	1/31/95
SENTENCING AND POLICY ADVISORY COMMISSION, NORTH CAROLINA			
G.S. 164–37—see also Ch. 236, 1995 S.L. (SB 186)			
(Pro Tem)	Senator Frank W. Ballance, Jr.	8/10/95	6/30/97
	Senator Roy A. Cooper III		
	Senator Wib Gulley		
	Ms. Lao Rupert*		
(See also Appointments of Lt. Governor)			
(Speaker)	Rep. Joanne W. Bowie	8/29/95	6/30/97
	Rep. C. Robert Brawley		
	Rep. Larry T. Justus		
	Mr. McKay Belk*	11/30/95	6/30/97
SESSION LIMITS, SENATE SELECT COMMITTEE			
G.S. 120–19.6			
(Pro Tem)	Senator Roy A. Cooper III (Chairman)	8/22/96	
	Senator Frank W. Ballance, Jr.		
	Senator Besty L. Cochrane		
	Senator J. Richard Conder		
	Senator James Forrester		
	Senator Wib Gulley		
	Senator Fletcher L. Hartsell, JR.		
	Senator David W. Hoyle		
	Senator Jeanne Hopkins Lucas		
	Senator J. Clark Plexico		
	Senator Anthony E. Rand		
	Senator R. C. Soles, Jr.		
	Senator Leslie Winner		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
SOIL SCIENTISTS, NORTH CAROLINA BOARD FOR LICENSING OF		
G.S. 89F–4—see Ch. 414, Sec. 1, 3, 1995 S.L. (HB 826)	Term–three years/staggered	
(Pro Tem) Mr. John Rich* (**Resigned**)	7/31/95	6/30/96
Mr. John Paul Lilly*	10/11/95	6/30/98
Ms. Sandra L. Long* [**UT**–Rich]	2/1/96	6/30/96
(Speaker) Mr. Hubert Byrd*	9/20/95	6/30/98
Mr. Graham Cawthorne, Jr.*	7/31/96	6/30/99
SOUTHERN STATES ENERGY BOARD	Term–Pleasure of appointive authority	
G.S. 104D–2		
(Pro Tem) Senator Wib Gulley	3/16/95	12/31/96
(Speaker) Rep. Joe Hackney	8/29/95	1/30/97
STATE EMPLOYEE INSURANCE ISSUES, SENATE SELECT COMMITTEE		
Res. 15, 1995 S.L. (HJR 1069)		
(Pro Tem) Senator R. C. Soles, Jr. (Ch)	10/5/95	
Senator C. R. Edwards		
Senator Wilbur P. Gulley		
Senator Donald Kincaid		
Senator David Parnell		
Senator Anthony E. Rand		
Senator Dan Simpson		
STATE EMPLOYEE PERSONNEL COMPENSATION STUDY COMMISSION	Term–Terminates upon final report	
Ch. 17, Sec. 13.1, 1996 2nd Extra S.L. (SB 46)	**Report**–by 1/29/97	
(Pro Tem) (Not available at time of printing)		
(Speaker) (Not available at time of printing)		
STATE GOVERNMENT REORGANIZATION AND PRIVATIZATION STUDY COMMISSION	Term–Terminates upon final report	
Ch. 542, Sec. 21.1, 1995 S.L. (HB 898)	**Report**–Interim by 5/15/96; Final by 1/15/97	
(Pro Tem) (Not available at time of printing)		
(Speaker) (Not available at time of printing)		
STATE GOVERNMENT REORGANIZATION AND PRIVATIZATION (CIVILIANIZATION) COMMITTEE/LRC		
G.S. 120–30.17(1)	**Report**–1996; 1997 Session	
(Pro Tem) Senator David W. Hoyle (Co–Ch)	10/24/95	1/15/97
Honorable Howard N. Lee*(Co–Ch)		
Senator Hamilton C. "Ham" Horton, Jr.		
Senator John H. Kerr III		
Senator J. Clark Plexico		
Senator Anthony E. "Tony" Rand		
Senator J. K. Sherron, Jr.		
Mr. R. V. Owens*		
Mr. Jim E. Harrington*		
Mr. Chuck Hunt*		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
STATE GOVERNMENT REORGANIZATION AND PRIVATIZATION (CIVILIANIZATION) COMMITTEE/LRC (Continued)		
(Speaker) Rep. Richard Morgan (Co–Ch)	10/25/95	1/15/97
Rep. Rex Baker		
Rep. Walter Church		
Rep. William Culpepper		
Rep. Lyons Gray		
Rep. Wilma Sherrill		
Mrs. Susan Hutchins*		
Mr. Bob Luddy*		
Mr. Charlie Shelton* (Co–Ch)		
Mr. James Arthur Pope*	12/6/95	1/15/97
(LRC Coordinator)(Not available at time of printing)		
STATE AND LOCAL GOVERNMENT FISCAL RELATIONS AND TRENDS STUDY COMMISSION	Term–Terminates upon final report	
Ch. 542, Sec. 15.1, 1995 S.L. (HB 898)	**Report**–Interim prior to 1996 Session; Final prior to 1997 Session	
(Pro Tem) Senator Beverly M. Perdue (Designee/Co–Ch)	8/11/95	1997
Senator John H. Kerr III		Convening
Senator Fountain Odom		
Senator Aaron W. Plyler		
Senator J. K. Sherron, Jr.		
(Speaker) Rep. Carolyn B. Russell (Designee/Co–Ch)	8/30/95	1997
Rep. Mike Decker		Convening
Rep. Rick L. Eddins		
Rep. Eugene McCombs		
Rep. Mike Wilkins		
STATE PORTS STUDY COMMISSION	Term–Terminates upon final report	
Ch. 542, Sec. 16.1, 1995 S.L. (HB 898); Ch. 17, Sec. 12.1 (SB46); Ch. 18, Sec. 26.10 (HB 53), 1996 2nd Extra S.L.	**Report**–by 1/29/97	
(Pro Tem) Senator Beverly Perdue (Co–Ch)	10/9/95	5/1/96
Senator David W. Hoyle		
Senator Anthony Rand		
Mr. Demi Simpkins*		
Mr. Ken Younger*		
(Speaker) Rep. Danny McComas (Co–Ch)	8/30/95	5/1/96
Rep. Robert Grady		
Rep. Jean Preston		
Mr. William P. Emerson*		
Mr. Seddon Goode*		
STATE PURCHASING AND CORRECTION ENTERPRISES COMMITTEE/LRC		
Ch. 542, Sec. 2.1(21), 1995 S.L. (HB 898)	**Report**–1996; 1997 Session	
(Pro Tem) Senator J. K. Sherron, Jr. (Co–Ch)	11/30/95	1/15/97
Senator John H. Carrington		
Senator R. L. Martin		
Senator Thomas B. Sawyer		
Honorable Howard Lee*		
Senator Don W. East	3/26/96	
[**ad interim** Sawyer appointee]		
(Speaker) Rep. Paul Wayne Sexton (Co–Ch)	10/25/95	1/15/97
Rep. Stanley H. Fox		
Rep. Joseph Shawn Lemmond		
Rep. William Franklin Mitchell		
Rep. Alex Warner		
(LRC Coordinator) Senator J. K. Sherron		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
STATE–OWNED SUBMERGED LANDS—see **LANDS**		
SUBSTANCE ABUSE PROFESSIONALS CERTIFICATION BOARD, NORTH CAROLINA	Term–three years	
G.S. 90–113.32		
(Pro Tem) Dr. Frederick B. Glaser*	7/19/94	6/30/97
(Speaker) Mr. David R. Turpin*	11/16/94	6/30/97
TEACHER ACADEMY BOARD OF TRUSTEES, NORTH CAROLINA—formerly—TEACHER STAFF DEVELOPMENT, TASK FORCE ON	Term–Four years/staggered	
Ch. 321, Sec. 141; Ch. 553, Sec. 83.3, 1993 S.L.—**Renamed/Transferred**—see Ch. 324, Sec. 17.9, 1995 S.L. (HB 229)	**Report**–by 4/15/96	
(Pro Tem) Ms. Mona Alexander*	10/13/95	6/30/99
Ms. Karen Bolick*	10/13/95	6/30/97
Mr. William (Bill) Cunningham III*	10/13/95	6/30/97
Ms. Caroline Pearce*	10/13/95	6/30/99
(Speaker) Mrs. Bea Ottinger*	12/6/95	6/30/97
Mrs. Judy Corso*	12/6/95	6/30/97
Mrs. Gayle Mitchell*	12/6/95	6/30/99
Mrs. Johnnie Shane*	12/6/95	6/30/99
TEACHING STANDARDS COMMISSION, NORTH CAROLINA PROFESSIONAL	Term–two years	
G.S. 115C–295.1—see Ch. 18, Sec. 18.12, 1996 2nd Extra S.L. (HB 53)	**Report**–by 12/1 Annually	
(Pro Tem) Mr. Greg Moore*	9/21/94	9/1/96
Mr. Carl Stewart*		
Mrs. Virginia Haynes*	10/12/94	9/1/96
(Speaker) Mr. Thomas T. Blanford*	10/12/94	9/1/96
Ms. Lula D. Bond*		
Ms. Julia R. Russell*		
TRANSPORTATION OVERSIGHT COMMITTEE, JOINT LEGISLATIVE		
G.S. 120–70.50	Term–two years	
(Pro Tem) Senator David W. Hoyle (Co–Ch)	8/9/95	1/31/97
Senator Wib Gulley		
Senator Hamilton C. Horton, Jr.		
Senator John H. Kerr III		
Senator R.L. Martin		
Senator Anthony E. Rand		
Senator Paul S. Smith		
Senator James D. Speed		
(Speaker) Rep. Joanne W. Bowie (Co–Ch)	8/23/95	1/14/97
Rep. Bobby H. Barbee, Sr.		
Rep. Ed Bowen		
Rep. James W. Crawford, Jr.		
Rep. George M. Holmes		
Rep. John B. McLaughlin		
Rep. W. Edwin McMahan		
Rep. David Miner		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments		Appointed	Expires
TRAVEL AND TOURISM, NORTH CAROLINA BOARD			Term–two years
G.S. 143B–434.1			
(Pro Tem)	Senator J. Richard Conder	1/1/95	12/31/96
	Senator Beverly M. Perdue (**Resigned**)	1/1/95	12/31/96
	Senator Fred Hobbs [UT—Perdue](**Resigned**)	10/16/95	12/31/96
	Senator Luther H. Jordan, Jr. [UT—Hobbs]	10/25/95	12/31/96
	Mr. Ward Barnett*	1/1/95	12/31/96
	Mr. Barry Hipps*	1/1/95	12/31/96
(Speaker)	Rep. Ronnie Smith (**Resigned**)	1/1/95	12/31/96
	Rep. William S. Hiatt [UT—Smith]	8/23/95	12/31/96
	Rep. Thomas K. Jenkins (**Resigned**)	1/1/95	12/31/96
	Rep. William M. Ives [UT—Jenkins]	8/23/95	12/31/96
	Ms. Carmen Crockett* (**Resigned**)	1/1/95	12/31/96
	Mr. Kelly R. Miller [UT—Crockett*]	7/31/96	12/31/96
	Mrs. Sue Wilmoth*	1/1/95	12/31/96
UNDERGROUND STORAGE TANK FUNDS COUNCIL, PETROLEUM			
G.S. 143–215.94O			Term–two years
(Pro Tem)	Mr. Thomas Mehder*	7/31/95	6/30/97
	Mr. Craig W. Morehead*		
	Mr. Bill Weatherspoon*		
	Mrs. Anne Coan*		
	Mr. Russ Stephenson*		
(Speaker)	Mr. Neb King*	7/27/95	6/30/97
	Mr. George Robert Luckadoo*	7/27/95	6/30/97
	Mr. Steve Williams*	7/27/95	6/30/97
	Mr. Ken Carter, R.S.*	2/27/96	6/30/97
	Mr. Richard Catlin*	2/27/96	6/30/97
UTILITY REVIEW COMMITTEE, JOINT LEGISLATIVE			
			Term–Pleasure of appointive authority
G.S. 120–70.2—see also Ch. 542, Sec. 20.5, 1995 S.L. (HB 898)			
(Pro Tem)	Senator David W. Hoyle (Co–Ch)	8/9/95	
	Senator R. L. Martin		
	Senator David Parnell		
	Senator Paul Smith		
	Senator R. C. Soles		
(Speaker)	Rep. W. W. Dickson (Co–Ch)	8/23/95	1/30/97
	Rep. Danny McComas		
	Rep. Richard T. Morgan		
	Rep. Dennis Reynolds		
	Rep. Tim Tallent		
VOCATIONAL REHABILITATION ADVISORY COUNCIL—formerly—			
BUSINESS AND CONSUMER ADVISORY COUNCIL			Term–three years
G.S. 143–548			
(Pro Tem)	Mr. Roy Evans*	7/1/94	7/1/97
	Mr. Glenn T. Lloyd*	7/1/94	7/1/97
	Mr. Chet Mottershead*	7/1/95	7/1/98
	Mr. C. O. Tyndall*	7/31/96	7/1/99
	Ms. Paula Wilcenski*	7/31/96	7/1/99
(Speaker)	Ms. Martha Brock*	9/6/96	6/30/99
	Ms. Elfriede Illiano*	9/6/96	6/30/98
	Mr. Phil Kosak*	8/17/94	6/30/97
	Ms. Brenda Patton* (**Resigned**)	8/17/94	6/30/97
	Mr. Michael Britt* [UT—Patton*]	9/6/96	6/30/97
	Mr. N.E. Ross*	9/6/96	6/30/99

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
VOCATIONAL AND TECHNICAL EDUCATION, TASK FORCE ON		
Ch. 769, Sec. 19.10, 1993 S.L. (SB 1505)	**Report**–Final by 3/1/96	
(Pro Tem) Senator Luther H. Jordan, Jr.	9/27/94	3/1/96
Senator Ed Warren		
Mr. Dale Gainey*		
Mr. William A. Downey, Sr.*	10/17/94	3/1/96
(Speaker) Rep. Vance Alphin	10/7/94	3/1/96
Rep. Foyle Hightower, Jr.		
Ms. Dianne G. Cook*		
Mrs. Jo Alison S. Wainwright*	11/4/94	3/1/96
WATER ISSUES COMMITTEE/LRC		
Ch. 542, Sec. 2.1(22), 1995 S.L. (HB 898)	**Report**–1996; 1997 Session	
(Pro Tem) Senator James D. Speed (Co–Ch)	11/30/95	1/15/97
Senator Donald R. Kincaid	11/13/95	1/15/97
Senator R. L. Martin		
Mr. Melvin Daniels*		
Mr. Vernon James*	12/4/95	1/15/97
Mrs. Frankie Harvey*		
(Speaker) Rep. Cary D. Allred (Co–Ch)	10/25/95	1/15/97
Rep. Howard J. Hunter, Jr.		
Rep. William M. Ives		
Rep. William Franklin Mitchell		
Rep. Edward Norris Tolson		
Rep. Arlie F. Culp	11/27/95	1/15/97
(LRC Coordinator) Senator Henry McKoy		
WATERSHED PROTECTION ADVISORY COUNCIL	Term–two years	
G.S. 143–214.6(a)		
(Pro Tem) Hon. Jerry Campbell*	7/31/95	6/30/97
Ms. Margaret Arbuckle*		
(Speaker) Mr. William H. Stanley*	12/21/93	6/30/95
Mr. Robert D. Shaw*		
WELFARE REFORM, LEGISLATIVE STUDY COMMISSION	Term–Terminates upon final report	
Ch. 24, Sec. 47, 1994 Extra S.L. (SB 150)—**Continued**—see		
Ch. 507, Sec. 23.8B(HB230); Ch. 542, Sec. 23.1, 1995 S.L. (HB 898)—**Continued**—		
Ch. 17, Sec. 17.1, 1996 2nd Extra S.L. (SB 46)	**Report**–by 1/29/97	
(Pro Tem) Senator William N. Martin (Co–Ch)	9/24/96	
Senator Patrick J. Ballantine		
Senator Charlie Smith Dannelly		
Senator John H. Kerr III		
Senator Leslie Winner		
Dr. Andrew W. Dobelstein*		
(Speaker) Rep. Cherie Berry (Co–Ch) 10/1/96		
Rep. Charlotte Gardner		
Rep. Dewey Hill		
Rep. Lyons Gray		
Rep. Julia Howard		
Ms. Edith Hubbard*		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires
WELFARE REFORM, SENATE SELECT COMMITTEE ON		
Res. 15, 1995 S.L. (HJR 1069)	**Report**–1996; 1997 Session	
(Pro Tem) Senator William N. Martin (Co–Ch)	11/22/95	1/29/97
Senator Patrick J. Ballantine		
Senator Charlie S. Dannelly		
Senator J. Clark Plexico		
Senator James D. Speed		
Senator Leslie Winner		
WETLANDS, LEGISLATIVE STUDY COMMISSION ON		
Ch. 542, Sec. 22.1, 1995 S.L. (HB 898)	Term–Terminates upon final report	
	Report–1996 Session	
(Pro Tem) Senator Clark Plexico (Co–Ch)	10/19/95	1996 Session
Senator Patrick J. Ballantine		
Senator David Hoyle		
Senator Luther H. Jordan, Jr.		
Mr. Joseph E. Harwood*		
Mr. Melvin Shepard*		
Ms. Susan West* [**Resigned**]		
Mr. I. Clark Wright, Jr.*		
Mr. Lonnie Pridgen* [**UT**–West]	12/13/95	1996 Session
(Speaker) Rep. Arlie F. Culp	9/13/95	1996 Session
Rep. John M. Nichols		
Rep. Norris Tolson		
Rep. John Hugh Weatherly		
Dr. Ernest A. Carl*		
Mr. John T. Dowd*		
Mr. Donald A. Kirkman*		
Dr. Russ Lea*		
WILDLIFE RESOURCES COMMISSION, NORTH CAROLINA		
G.S. 143–240—see also Ch. 490, Sec. 64, 1995 S.L. (SB 901)	Term–two years	
(Pro Tem) Mr. Russell Mohn Hull, Jr.*	7/31/95	4/25/97
Mr. Eugene Price*	7/31/95	4/25/97
(See also Appointments of Lt. Governor)		
(Speaker) Mr. James B. Black, Jr.*	7/27/95	4/25/97
Mr. Charles R. Preston	7/27/95	4/25/97
Mr. Ralph Squires*	7/27/95	4/25/97
WORKERS' COMPENSATION COMMITTEE/LRC		
Ch. 542, Sec. 2.7, 1995 S.L. (HB 898)	**Report**–1996; 1997 Session	
(Pro Tem) Senator John H. Kerr III (Co–Ch)	12/1/95	1/15/97
Senator Donald R. Kincaid	11/13/95	1/15/97
Senator Ed N. Warren	12/1/95	1/15/97
Dr. Erin Kuczmarski*		
Senator R. C. Soles, Jr.	12/5/95	1/15/97
Mr. William Stephenson*		
Mrs. Bernadine Ballance*	12/13/95	1/15/97
(Speaker) Rep. J. Shawn Lemmond (Co–Ch)	10/25/95	1/15/97
Rep. Gene Gray Arnold		
Rep. Hugh Alfred Lee		
Rep. Daniel F. McComas		
Mr. Brad Moock*		
Rep. Bobby Harold Barbee	11/30/95	1/15/97
Rep. Joanne Sharpe		
(LRC Coordinator) Rep. Gregory J. Thompson		

* Citizen Appointee
[UT]—Filling Unexpired Term

President Pro Tempore/Speaker Appointments	Appointed	Expires

NOTE: Appointments made between **1989** and **1990** were made by the following:
President *Pro Tempore*—The Honorable Henson P. Barnes
Speaker of the House of Representatives—
The Honorable Josephus L. Mavretic

Appointments made between **1991** and **1992** were made by the following:
President *Pro Tempore*—The Honorable Henson P. Barnes
Speaker of the House of Representatives—
The Honorable Daniel T. Blue, Jr.

Appointments made between **1993** and **1994** were made by the following:
Speaker of the House of Representatives—
The Honorable Daniel T. Blue, Jr.

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* Citizen Appointee
[UT]—Filling Unexpired Term

NATIONAL CONFERENCE OF STATE LEGISLATURES STANDING COMMITTEES 1995 SESSION

(Term coincides with Legislative term)

Appointing Authority: President *Pro Tempore*

ASSEMBLY ON STATE ISSUES

Arts and Tourism
Senator Ed N. Warren

Children, Families, and Health
Senator Jeanne H. Lucas

Commerce, Labor and Economic Development
Senator David W. Hoyle

Communications and Information Policy
Senator Luther H. Jordan, Jr.

Criminal Justice
Senator David R. Parnell

Education
Senator Clark Plexico

Fiscal, Oversight and Intergovernmental Affairs
Senator Aaron W. Plyler

Legislative Management
Senator J. Richard Conder

Science, Energy and Environmental Resources
Senator T. L. (Fountain) Odom

Task Force on Developmental Disabilities
Senator Betsy L. Cochrane

Reapportionment Task Force
Senator Leslie J. Winner

ASSEMBLY ON FEDERAL ISSUES

Agriculture and International Trade
Senator Charles W. Albertson
Senator James D. Speed (Alternate)

Commerce and Communications
Senator J. K. Sherron, Jr.
Senator Fletcher Hartsell, Jr. (Alternate)

Education, Labor and Job Training
Senator Beverly M. Perdue
Senator C. R. Edwards (Alternate)

Energy and Transportation
Senator Wilbur P. Gulley
Senator Paul S. Smith (Alternate)

Environment
Senator R. L. Martin
Senator Fred M. Hobbs (Alternate)

Federal Budget and Taxation
Senator John H. Kerr III
Senator John H. Carrington (Alternate)

Health
Senator Anthony E. Rand
Senator James S. Forrester (Alternate)

Human Services
Senator William N. Martin
Senator Charlie S. Dannelly (Alternate)

Law and Justice
Senator Frank W. Ballance, Jr.
Senator Roy A. Cooper III (Alternate)

SOUTHERN LEGISLATIVE CONFERENCE OF THE COUNCIL OF STATE GOVERNMENTS 1995 SESSION

Appointing Authority: President *Pro Tempore*

1995

Executive Committee
Senator Marc Basnight
Senator J. Richard Conder (Alternate)

Agriculture and Rural Development Committee
Senator Charles W. Albertson
Senator James D. Speed
Senator Donald R. Kincaid (Alternate)
Senator Don East (Alternate)

Economic and Cultural Development Committee
Senator David R. Parnell
Senator C. R. Edwards
Senator Betsy L. Cochrane (Alternate)
Senator Hamilton C. Horton, Jr. (Alternate)

Education Committee
Senator J. Clark Plexico
Senator Leslie Winner
Senator Charlie S. Dannelly (Alternate)

Energy Committee
Senator John H. Kerr III
Senator Luther Henry Jordan, Jr.
Senator Paul S. Smith (Alternate)
Senator Dennis H. Davis (Alternate)

Environmental Quality and Natural Resources Committee
Senator R. L. Martin
Senator Fountain Odom
Senator John G. Blackmon (Alternate)
Senator Henry McKoy (Alternate)

1996

Executive Committee
Senator Marc Basnight
Senator J. Richard Conder (Alternate)

Agriculture and Rural Development Committee
Senator Charles W. Albertson
Senator James D. Speed
Senator Donald R. Kincaid (Alternate)
Senator Robert Shaw (Alternate)

Economic and Cultural Development Committee
Senator Frank W. Ballance
Senator Fred M. Hobbs
Senator Betsy L. Cochrane (Alternate)
Senator Charlie S. Dannelly (Alternate)

Education Committee
Senator J. Clark Plexico
Senator Leslie Winner
Senator Teena S. Little (Alternate)
Senator Fletcher L. Hartsell, Jr. (Alternate)

Energy Committee
Senator John H. Kerr III
Senator Luther Henry Jordan, Jr.
Senator Wib Gulley (Alternate)
Senator Hamilton C. Horton, Jr. (Alternate)

Environmental Quality and Natural Resources Committee
Senator R. L. Martin
Senator Fountain Odom
Senator Clark Plexico (Alternate)
Senator Roy A. Cooper III (Alternate)

1995	1996
Federal Preemption and State/Federal Affairs Committee Senator Anthony E. Rand Senator J. K. Sherron, Jr. Senator Fred M. Hobbs Senator John H. Carrington (Alternate) Senator Robert G. Shaw (Alternate)	**Federal Preemption and State/Federal Affairs Committee** Senator Anthony E. Rand Senator J. K. Sherron, Jr. Senator Beverly M. Perdue Senator John H. Carrington (Alternate) Senator Robert G. Shaw (Alternate) Senator Austin M. Allran (Alternate)
Fiscal Affairs and Government Operations Committee Senator Aaron W. Plyler Senator J. K. Sherron, Jr. Senator Beverly M. Perdue Senator Fountain Odom (Alternate) Senator Ed N. Warren (Alternate) Senator J. Richard Conder (Alternate)	**Fiscal Affairs and Government Operations Committee** Senator Aaron W. Plyler Senator J. K. Sherron, Jr. Senator J. Richard Conder Senator Fountain Odom (Alternate) Senator Beverly M. Perdue (Alternate) Senator David W. Hoyle (Alternate) Senator Roy A. Cooper III (Alternate)
Human Resources Committee Senator Jeanne H. Lucas Senator William N. Martin Senator James S. Forrester (Alternate) Senator Austin M. Allran (Alternate)	**Human Resources Committee** Senator Jeanne H. Lucas Senator William N. Martin Senator James D. Speed Senator James S. Forrester (Alternate) Senator Austin M. Allran (Alternate) Senator Don W. East (Alternate)
Justice and Consumer Affairs Committee Senator Frank W. Ballance, Jr. Senator Roy A. Cooper III Senator David R. Parnell (Alternate) Senator Dan R. Simpson (Alternate)	**Justice and Consumer Affairs Committee** (not a committee in 1996)
Transportation Committee Senator David W. Hoyle Senator Wib Gulley Senator James D. Speed (Alternate) Senator Robert C. Carpenter (Alternate)	**Transportation Committee** Senator David W. Hoyle Senator Wib Gulley Senator James D. Speed (Alternate) Senator Robert C. Carpenter (Alternate)

SENATE COMMITTEE ASSIGNMENTS

COMMITTEE — **STANDING MEETING TIME/ROOM**

AGRICULTURE/ENVIRONMENT/NATURAL RESOURCES:
Tues/Thurs—Rm 1124—11:00 AM

Chairman: Senator Albertson
Vice–Chairmen: Senator Blackmon
Senator Gulley
Senator Plexico
Senator Speed
Ranking Minority: Senator Cochrane
Members: Senators Dannelly, East, Hobbs, Horton, Jordan, McDaniel, Odom, Page, Perdue, Shaw, Simpson, and Winner

APPROPRIATIONS: **Tues/Wed/Thurs—Rm 643—8:30 AM**

Co–Chairmen: Senator Perdue
Senator Plyler
Vice–Chairmen: Senator Blackmon
Senator Conder
Senator Kincaid
Senator Rand
Senator Simpson
Senator Webster
Members: Senators Albertson, Ballance, Ballantine, Carpenter, Clark, Cochrane, Dannelly, Davis, East, Edwards, Forrester, Gulley, Hobbs, Horton, Hoyle, Jordan, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McKoy, Odom, Parnell, Plexico, Smith, Speed, Warren, and Winner

BASE BUDGET: **Tues/Wed/Thurs—Rm 643—8:30 AM**

Chairman: Senator Odom
Vice–Chairmen: Senator Blackmon
Senator Conder
Senator Kincaid
Senator Rand
Senator Simpson
Senator Webster
Members: Senators Albertson, Ballance, Ballantine, Carpenter, Clark, Cochrane, Dannelly, Davis, East, Edwards, Forrester, Gulley, Hobbs, Horton, Hoyle, Jordan, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McKoy, Parnell, Perdue, Plyler, Plexico, Smith, Speed, Warren, and Winner

APPROPRIATIONS – DEPARTMENT OF TRANSPORTATION:
Tues/Wed/Thurs—Rm 1027—8:30 AM

Chairman: Senator Hoyle
Vice–Chairman: Senator Albertson
Ranking Minority: Senator Carpenter
Members: Senators Edwards and Horton

APPROPRIATIONS – EDUCATION/HIGHER EDUCATION:
Tues/Wed/Thurs—Rm 414—8:30 AM

Co–Chairmen:	Senator Plexico
	Senator Winner
Vice–Chairman:	Senator Conder
Ranking Minority:	Senator Smith
Member:	Senator Little

APPROPRIATIONS – GENERAL GOVERNMENT:
Tues/Wed/Thurs—Rm 1124—8:30 AM

Chairman:	Senator Warren
Vice–Chairman:	Senator Lucas
Members:	Senators Davis, Gulley, and Ledbetter

APPROPRIATIONS – HUMAN RESOURCES:
Tues/Wed/Thurs—Rm 422—8:30 AM

Chairman:	Senator Martin of Guilford
Vice–Chairman:	Senator Speed
Ranking Minority:	Senator Forrester
Members:	Senators Clark and Dannelly

APPROPRIATIONS – JUSTICE AND PUBLIC SAFETY:
Tues/Wed/Thurs—Rm 415—8:30 AM

Chairman:	Senator Ballance
Vice–Chairman:	Senator Parnell
Ranking Minority:	Senator Ballantine
Members:	Senators East and Rand

APPROPRIATIONS – NATURAL AND ECONOMIC RESOURCES:
Tues/Wed/Thurs—Rm 423—8:30 AM

Chairman:	Senator Martin of Pitt
Vice–Chairman:	Senator Jordan
Ranking Minority:	Senator Cochrane
Members:	Senators Hobbs and McKoy

CHILDREN AND HUMAN RESOURCES: **Wednesday—Rm 544—11:00 AM**

Chairman:	Senator Lucas
Vice–Chairmen:	Senator Dannelly
	Senator Martin of Guilford
	Senator Winner
Ranking Minority:	Senator Forrester
Members:	Senators Allran, Blust [Sawyer]*, Clark, Cochrane, Cooper, East, Foxx, Hobbs, Kerr, Kincaid, Perdue, Plexico, and Warren

COMMERCE: **Tues/Thurs—Rm 423—11:00 AM**

Chairman:	Senator Parnell
Vice Chairmen:	Senator Cochrane
	Senator Hoyle
	Senator Warren
Ranking Minority:	Senator Smith
Members:	Senators Ballance, Ballantine, Carpenter, Conder, Edwards, Forrester, Foxx, Kerr, Kincaid, Ledbetter, Little, Martin of Pitt, Plyler, Rand, and Soles

EDUCATION/HIGHER EDUCATION: **Wednesday—Rm 414—10:00 AM**

Co–Chairmen:	Senator Plexico
	Senator Winner
Vice–Chairmen:	Senator Allran
	Senator Dannelly
	Senator Hartsell
	Senator Hobbs
	Senator Warren
Ranking Minority:	Senator Forrester
Members:	Senators Cochrane, Conder, Cooper, Davis, Foxx, Horton, Hoyle, Little, Lucas, Martin of Guilford, Perdue, and Simpson

FINANCE: **Tues/Wed/Thurs—Rm 544—12:00 Noon**

Co–Chairmen:	Senator Kerr
	Senator Sherron
Vice–Chairmen:	Senator Cooper
	Senator Shaw
	Senator Soles
Ranking Minority:	Senator Allran
Members:	Senators Albertson, Blackmon, Blust [Sawyer]*, Carrington, Conder, Edwards, Foxx, Hartsell, Hobbs, Hoyle, Little *(ad interim)*, Lucas, McDaniel, Page, Parnell, Rand, Smith, Speed, and Webster

JUDICIARY I/CONSTITUTION: **Tues/Thurs—Rm 1124—10:00 AM**

Chairman:	Senator Cooper
Vice–Chairmen:	Senator Odom
	Senator Soles
	Senator Winner
Ranking Minority:	Senator Simpson
Members:	Senators Albertson, Allran, Ballantine, Blackmon, Dannelly, Hobbs, Martin of Guilford, McDaniel, McKoy, Page, Perdue, Shaw, and Speed

JUDICIARY II/ELECTION LAWS: **Tues/Thurs—Rm 1027—10:00 AM**

Chairman:	Senator Gulley
Vice–Chairmen:	Senator Ballance
	Senator Kerr
Ranking Minority:	Senator Hartsell
Members:	Senators Blust [Sawyer]*, Carpenter, Davis, Horton, Hoyle, Jordan, Kincaid, Lucas, Parnell, Plexico, Rand, and Webster

LOCAL GOVERNMENT AND REGIONAL AFFAIRS:
Wednesday—Rm 1124—11:00 AM

Chairman:	Senator Jordan
Vice–Chairman:	Senator Martin of Pitt
Ranking Minority:	Senator Shaw
Members:	Senators Albertson, Ballance, Carrington, Conder, Davis, Hartsell, Ledbetter, and Soles

PENSIONS AND RETIREMENT/ INSURANCE/STATE PERSONNEL: **Wednesday—Rm 1124—10:00 AM**

Co–Chairmen: Senator Conder
Senator Soles
Vice–Chairmen: Senator Kincaid
Senator Martin of Pitt
Senator Parnell
Ranking Minority: Senator Shaw
Members: Senators Carpenter, Edwards, McDaniel, McKoy, Odom, Plyler, Sherron, Smith, Speed, and Webster

RULES AND OPERATION OF THE SENATE: **Upon Call of Chairman**

Chairman: Senator Rand
Vice–Chairmen: Senator Gulley
Senator Simpson
Ranking Minority: Senator Hartsell
Members: Senators Cooper, Horton, Jordan, Ledbetter, Little, Plexico, Plyler, and Soles

TRANSPORTATION: **Wednesday—Rm 1027—11:00 AM**

Chairman: Senator Speed
Vice–Chairmen: Senator Edwards
Senator Gulley
Senator Smith
Ranking Minority: Senator Simpson
Members: Senators Carpenter, Carrington, Clark, Hoyle, Odom, Page, Parnell, and Sherron

WAYS AND MEANS: **Upon Call of Chairman**

Chairman: Senator Edwards
Vice–Chairman: Senator Sherron
Ranking Minority: Senator Allran
Members: Senators Ballance, Ballantine, Blust [Sawyer]*, Carrington, Clark, East, Hoyle, Kerr, Martin of Pitt, Martin of Guilford, McKoy, Odom, Perdue, Plyler, Smith, Warren, and Webster

* [Sawyer] deceased March 19, 1996; Blust appointed May 9, 1996

SENATE SELECT COMMITTEE

(Appointed June 13, 1996)

REDISTRICTING SELECT COMMITTEE:

Chairman: Senator Cooper
Members: Senators Ballance, Ballantine, Conder, Forrester, Hoyle, Kincaid, Martin of Pitt, Rand, and Winner

SENATE STAFF

OFFICE OF THE PRESIDENT

Lieutenant Governor	Dennis A. Wicker
Chief of Staff	William M. Teague
Director of Communications	Robert D. Phillips
Special Assistants	
Boards and Commissions	Shirley Fowler
Constituent Affairs	Maggie Pollock
Legislative and Policy Advisor	Davis Bradshaw
Administrative Assistants	Greta L. Rogers
	Kathryn Wilson
Executive Secretary	Camille Vaughan
Scheduler	Rhonda Currier

OFFICE OF THE PRESIDENT *PRO TEMPORE*

President *Pro Tempore*	Marc Basnight
General Counsel/Liaison	Norma Ware
Communications Director	Bret Kinsella
Executive Assistant	Angela Talton
Citizen Affairs	Andrea Gardner
Administrative Assistant	Anita Stephenson
Receptionist	Sandy Tingle
Research Assistant	Rolf Blizzard
Page Coordinator	Dot Holbrook
Page Supervisor	Tonita Stephenson

OFFICE OF THE DEPUTY PRESIDENT *PRO TEMPORE*

Deputy President *Pro Tempore*	R. C. Soles, Jr.
Administrative Assistants	Janet P. Blalock
	Joan Leatherman

OFFICE OF THE PRINCIPAL CLERK

Principal Clerk	Sylvia Morris Fink
Administrative Assistants	June Simpkins Bennett
	Mona R. Fitzgerald
Calendar Clerk	Linda Stephenson
Assistant Calendar Clerks	Gloria Coe
	Eryn M. Gee
	Doris H. Gilbert
	Nicole B. McLamb
Journal Clerk	Elizabeth L. Thompson
Assistant Journal Clerks	Beverly H. Allen
	Betty Morris Bridger
	Amy Honeycutt
	Bryan Pruitt

READING CLERK LeRoy Clark, Jr.

OFFICE OF THE SERGEANT–AT–ARMS

Sergeant–at–Arms	Cecil Goins
Deputy Sergeant–at–Arms	Royster Baker
Secretary	Martha Dunn
Assistants	
Caroline Barbee	Mary Perry
Andrew Brock	Hubert Poole
Dave Cauble	Phil Riley
Fallis O. Finch	Bernard Robinson
Jimmy Hight	George Robinson
Archie McMillan	Leslie Wright
Jack Mueller	

CHAPLAIN Mike Morris

SECRETARIES/COMMITTEE CLERKS

Supervisor		Janet Pruitt
Name	Senator	Clerk of Committee
Allen, Doris	Parnell	Commerce
Avent, Irma	Ballance	Majority Whip; Appropriations on Justice and Public Safety
Bagley, Jane (Dee)	Smith	
Beddingfield, Kristy	Odom	Base Budget
Birdsong, Julia	Albertson	Agriculture/Environment/ Natural Resources
Blalock, Janet	Soles	Deputy President *Pro Tempore*; Pensions and Retirement/ Insurance/State Personnel
Bowles, Gerry	Foxx	
Britt, Judy	Sherron	Finance
Caldwell, Wilma	Warren	Appropriations on General Government
Canady, Anne	Perdue	Appropriations
Carpenter, Helen	Carpenter	
Carter, Lucille	Horton	
Costello, Evelyn	Rand	Rules and Operation of the Senate
David–Yerumo, Bernie	Lucas	Children and Human Resources
Davis, Kathy	Carrington	
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ALPHABETICAL INDEX

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—Senator Jesse I. Ledbetter
—District 42—Senator Robert C. Carpenter
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—Senator Dan R. Simpson
—District 28—Senator R L Clark
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CLAY COUNTY—District 42—Senator Robert C. Carpenter
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JOURNAL

OF THE

SENATE

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA

SECOND EXTRA SESSION

1996

OFFICERS AND MEMBERS
OF
THE SENATE OF NORTH CAROLINA
1995 GENERAL ASSEMBLY
SECOND EXTRA SESSION 1996

DENNIS A. WICKER, President ..... Sanford
MARC BASNIGHT, President *Pro Tempore* ..... Manteo
R. C. SOLES, JR., Deputy President *Pro Tempore* ..... Tabor City
SYLVIA M. FINK, Principal Clerk ..... Raleigh
LEROY CLARK, JR., Reading Clerk ..... Wendell
CECIL GOINS, Sergeant–at–Arms ..... Raleigh

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2	FRANK W. BALLANCE, JR.	Warrenton
3	BEVERLY M. PERDUE	New Bern
4	PATRICK J. BALLANTINE	Wilmington
5	CHARLES W. ALBERTSON	Beulaville
6	R. L. MARTIN	Bethel
7	LUTHER HENRY JORDAN, JR.	Wilmington
8	JOHN KERR	Goldsboro
9	ED N. WARREN	Greenville
10	ROY A. COOPER III	Rocky Mount
11	JAMES D. SPEED	Louisburg
12	DON W. EAST	Pilot Mountain
	VIRGINIA FOXX	Banner Elk
13	WILBUR P. GULLEY	Durham
	JEANNE H. LUCAS	Durham
14	HENRY E. McKOY	Raleigh
	J. K. SHERRON, JR.	Raleigh
15	DANIEL E. PAGE	Coats
16	FRED M. HOBBS	Southern Pines
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17	J. RICHARD CONDER	Rockingham
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19	ROBERT G. SHAW	Greensboro
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21	HUGH WEBSTER	Yanceyville
22	FLETCHER L. HARTSELL, JR.	Concord
23	PAUL S. SMITH	Salisbury
24	ANTHONY E. RAND	Fayetteville
25	DAVID HOYLE	Dallas
26	AUSTIN M. ALLRAN	Hickory
27	DONALD R. KINCAID	Lenoir
	DAN R. SIMPSON	Morganton
28	R L CLARK	Asheville
	JESSE I. LEDBETTER	Asheville
29	CLARK PLEXICO	Hendersonville
30	DAVID R. PARNELL	Parkton
31	WILLIAM N. MARTIN	Greensboro
32	JOHN M. BLUST	High Point
33	CHARLIE SMITH DANNELLY	Charlotte
34	T. L. ODOM	Charlotte
35	JOHN GERALD BLACKMON	Charlotte
36	JOHN H. CARRINGTON	Raleigh
37	DENNIS DAVIS	Lattimore
38	BETSY L. COCHRANE	Advance
39	JAMES FORRESTER	Stanley
40	LESLIE WINNER	Charlotte
41	C. R. EDWARDS	Fayetteville
42	ROBERT C. CARPENTER	Franklin

(See *Appendix* for Senatorial Districts)

SENATE JOURNAL

SECOND EXTRA SESSION

JULY — 1996

FIRST DAY

SENATE CHAMBER
Monday, July 8, 1996.

In accordance with law, as set forth in the Constitution of the State of North Carolina and pursuant to the Proclamation issued on July 3, 1996, by the Honorable James B. Hunt, Jr., Governor, the Senate of the 1995 General Assembly convenes in Extra Session at the hour of 1:00 P.M. in the Senate Chamber in the Legislative Building in the City of Raleigh.

The Honorable Dennis A. Wicker, Lieutenant Governor and President of the Senate, presides and calls the Senate to order.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Gracious God, You Know all there is to know about unfinished business—the already and the not yet of the Kingdom of God.

"You created this world out of love. Throughout history, every time we have attempted to deny that love You have done everything possible to bring us back into oneness with You.

"Unity and harmony are the goals of all creation and of You, O God. Help us to deal with the unfinished business in our relationships with You—then all these other things shall be added unto us. In Your Holy Name, we pray, Amen."

Led by the Lieutenant Governor, Members and guests remain standing and pledge allegiance to the United States of America.

The President lays before the Senate the Proclamation issued by Governor James B. Hunt, Jr., on July 3, 1996, as follows:

STATE OF NORTH CAROLINA

JAMES B. HUNT, JR.
GOVERNOR

PROCLAMATION

WHEREAS, the 1995 Regular Session of the General Assembly adjourned *sine die* on June 21, 1996; and

WHEREAS, in that legislative session, the General Assembly did not enact a revised budget for the 1996–97 fiscal year, and left issues critical to the future of North Carolina unresolved; and

WHEREAS, because the General Assembly enacted no budget adjustments for the 1996–97 fiscal year, it failed to take steps to recruit and retain the best teachers in public schools and in the state's universities and community colleges; and to reduce class size and put uniformed officers in every high school; and to provide the resources needed to meet increasing enrollment in our public schools; and

WHEREAS, the lack of a revised budget leaves other critical issues unaddressed, such as the state's ability to enforce new regulations on swine operations and the ability to fight crime effectively by housing dangerous criminals; and

WHEREAS, because the General Assembly did not enact tax credits to stimulate new and expanded investment, job creation, worker training and research and development, North Carolina's economic prosperity is threatened, and lack of tax relief to business and consumers will erode economic security; and

WHEREAS, it is important for the state to enact a balanced budget that cuts taxes, keeps $600 million in savings and addresses needs in education and the environment; and

WHEREAS, I have sought and received the advice of the Council of State on this matter and I find that the adjournment *sine die* of the 1995 Regular Session of the North Carolina Assembly without taking steps needed to protect and improve the quality of education in our State and to otherwise promote the general welfare of the people to be an extraordinary occasion; and

WHEREAS, I have also discussed the circumstances with the Lieutenant Governor, the President *Pro Tempore* of the Senate, and the Speaker of the House of Representatives and they are of the same view;

NOW, THEREFORE, I, James B. Hunt, Jr., Governor of the State of North Carolina, pursuant to the authority granted to me by Article III, Sec. 5(7) of the Constitution of North Carolina, find that the circumstances stated above constitute an extraordinary occasion within the meaning of Article III, Sec. 5(7) of the Constitution of North Carolina and PROCLAIM that the General Assembly is hereby convened in an extra session for the purpose of considering budget and tax issues.

This extra session shall begin the 8th of July 1996 at 1:00 p.m. and shall continue as provided by law and the rules of each House until both Houses shall have adjourned *sine die*.

Done in Raleigh, North Carolina, this the 3rd day of July, 1996.

S/James B. Hunt, Jr.
Governor

(SEAL)

The Chair directs the Reading Clerk to call the roll of the Members of the Senate heretofore elected to the 1995 General Assembly, and the following answer the call:

Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Forrester, Foxx, Gulley, Hartsell, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—47.

With the Members present having properly received and subscribed to the oath of office, the President announces a quorum present.

With unanimous consent, the President grants a leave of absence for today to Senator Hobbs.

The President of the Senate extends courtesies of the floor to Dr. R. Lee Jobe from Raleigh, who is serving the Senate as Doctor of the Day.

ADOPTION OF RULES

The Chair recognizes Senator Rand who submits a simple resolution, as follows:

By Senators Rand and Gulley:

S.R. 1, a Senate resolution adopting the permanent rules of the Senate for the Second Extra Session 1996 of the General Assembly.

Senator Webster offers Amendment No. 1 which proposes to change the title to read **S.R. 1**, a Senate resolution adopting the temporary rules of the Senate for the Second Extra Session 1996 of the General Assembly.

The Chair announces the presence of Senator Edwards and Senator Sherron in the Chamber.

Following debate, Senator Webster withdraws Amendment No. 1.

Senator Kincaid offers Amendment No. 2 which is adopted (39–10) deleting proposed Rule 43.1 and Rule 50. *(See Appendix)*

Senator Ballantine offers Amendment No. 3 which he subsequently withdraws. *(See Appendix)*

The Senate simple resolution, as amended, is adopted (48–1) as the permanent rules of the Senate for this Extra Session.

The text of this resolution appears as follows:

S.R. 1, A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE SECOND EXTRA SESSION 1996 OF THE GENERAL ASSEMBLY.

Be it resolved by the Senate:

Section 1. The permanent rules of the 1995 Regular Session, with the following amendments, are the rules governing the Second Extra Session of the General Assembly:

Rule 40. Introduction of bills.

Every bill filed for introduction shall contain on the outside cover the title of the document and the name of the Senator or Senators presenting it. Bills shall be delivered by the primary sponsor of the document or with the prescribed authorization form signed by the primary sponsor to the Office of the Senate Principal Clerk who shall receive them according to the following schedule:

Monday until 8:30 o'clock p.m.;
Tuesday, Wednesday, and Thursday until
3:00 o'clock p.m.;
Friday until 2:00 o'clock p.m.

All bills shall be numbered by the Office of the Senate Principal Clerk when filed and shall be considered introduced when presented to the Senate for the first reading.

Rule 40.1. Limitation on resolutions and bills.

The only resolutions that may be introduced or considered in the Senate are resolutions adjourning the Extra Session *sine die.* All bills shall be excluded from introduction or consideration in the Senate, other than any of the following:

(1) The Current Operations Appropriations Act of 1996, a bill making general revisions in the State budget for fiscal year 1996–97.

(2) A bill to reform the existing provisions in the State's tax laws that violate the interstate commerce clause of the United States Constitution.

(3) Tax legislation as follows:

a. Reduce the corporate income tax rate.
b. Reduce the soft drink tax rate.
c. Reduce the rate of sales and use tax that applies to food.
d. Provide income tax credits and refunds to federal retirees for income taxes paid on their retirement benefits for tax years 1985 through 1988.
e. Allow income and franchise tax credits that give businesses an incentive to locate, expand, or invest in this State, and make related changes to the Industrial Development Fund and Community Development Block Grants.
f. Repeal privilege license taxes.
g. Clarify sales and use tax treatment of free items and bundled transactions.
h. Reduce the rate of sales and use tax that applies to gas and electricity used in farming and industry.
i. Allow tax incentives for charitable giving.
j. Reduce and simplify inheritance and gift taxes.
k. Expand the property tax homestead exemption.
l. Extend the State Ports Tax Credit to forest products.

(4) Local bills that passed one house during 1996, were placed on the calender for second reading or passed second reading in the second house, and were required to be read on separate days under Article II, Section 23 of the Constitution of North Carolina.

(5) Legislation required to be considered and enacted before 1997 pursuant to a court order, and legislation affecting pending litigation.

(6) Bills making appointments to office by the General Assembly.

(7) Bills authorizing legislative study commissions.

Rule 41. (Reserved)

Rule 43. First reading; reference to committee.

All bills filed for introduction and all House bills received upon a message from the House of Representatives, upon presentation to the Senate, shall be read in the regular order of business by their number and title which shall constitute the first reading of the bill. The Chairman of the Rules and Operation of the Senate Committee or, in his absence, the Vice–Chairman of the Committee shall refer to

a Senate committee all bills introduced in the Senate. Upon the referral being made, the Chairman of the Committee on Rules and Operation of the Senate shall notify the Principal Clerk of the Senate of the referral, and the Reading Clerk shall announce the referral of the bill. The Principal Clerk shall inform the Presiding Officer of the referral. The title and referral shall be entered upon the Journal.

Rule 56.1. Amendments and committee substitutes adopted by the House to bills originating in the Senate.

(a) Whenever the House has adopted an amendment or a committee substitute for a bill originating in the Senate, and has returned the bill to the Senate for concurrence in that amendment or committee substitute, the Senate may concur in that amendment or committee substitute on the same legislative day, unless concurrence on three days is required by Article II, Section 23 of the Constitution.

(b) through (f) [Not amended].

Rule 59. (Reserved).

Sec. 2. This resolution is effective upon adoption.

COMMITTEE APPOINTMENTS

The Chair recognizes Senator Basnight, President *Pro Tempore*, who announces appointments to standing committees, pursuant to Rule 31 and Rule 32, as follows:

APPROPRIATIONS

Co–Chairmen:	Senator Perdue
	Senator Plyler
Vice–Chairmen:	Senator Blackmon
	Senator Conder
	Senator Kincaid
	Senator Rand
	Senator Simpson
	Senator Webster
Members:	Senators Albertson, Ballance, Ballantine, Carpenter, Clark, Cochrane, Dannelly, Davis, East, Edwards, Forrester, Gulley, Hobbs, Horton, Hoyle, Jordan, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McKoy, Odom, Parnell, Plexico, Smith, Speed, Warren, and Winner

BASE BUDGET

Chairman:	Senator Odom
Vice–Chairmen:	Senator Blackmon
	Senator Conder
	Senator Kincaid
	Senator Rand
	Senator Simpson
	Senator Webster
Members:	Senators Albertson, Ballance, Ballantine, Carpenter, Clark, Cochrane, Dannelly, Davis, East, Edwards, Forrester, Gulley, Hobbs, Horton, Hoyle, Jordan, Ledbetter, Little, Lucas,

Martin of Pitt, Martin of Guilford, McKoy, Parnell, Perdue, Plyler, Plexico, Smith, Speed, Warren, and Winner

FINANCE

Co–Chairmen:	Senator Kerr
	Senator Sherron
Vice–Chairmen:	Senator Cooper
	Senator Shaw
	Senator Soles
Ranking Minority:	Senator Allran
Members:	Senator Albertson, Blackmon, Blust, Carrington, Conder, Edwards, Foxx, Hartsell, Hobbs, Hoyle, Little *(ad interim)*, Lucas, McDaniel, Page, Parnell, Rand, Smith, Speed, and Webster

LOCAL GOVERNMENT AND REGIONAL AFFAIRS

Chairman:	Senator Jordan
Vice–Chairman:	Senator Martin of Pitt
Ranking Minority:	Senator Shaw
Members:	Senator Albertson, Ballance, Carrington, Conder Davis, Hartsell, Ledbetter, and Soles

RULES AND OPERATION OF THE SENATE

Chairman:	Senator Rand
Vice–Chairmen:	Senator Gulley
	Senator Simpson
Ranking Minority:	Senator Hartsell
Members:	Senators Cooper, Horton, Jordan, Ledbetter, Little, Plexico, Plyler, and Soles

The President orders a special message sent to the House of Representatives informing that the Honorable Body that the Senate is organized and ready to proceed with the public business of this Extra Session of the 1995 General Assembly as stated in the Proclamation issued by the Governor.

INTRODUCTION OF BILLS AND RESOLUTIONS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Perdue:
S.B. 2, a bill to authorize Craven County to levy an additional room occupancy tax and to revise the existing Craven County room occupancy tax.
Referred to **Finance Committee**.

By Senator Perdue:
S.B. 3, a bill to incorporate the Town of Peletier.
Referred to **Finance Committee**.

By Senator Perdue:

S.B. 4, a bill to provide that milk products that are exempt from the soft drink tax are not required to register with the Department of Revenue for the exemption.

Referred to **Finance Committee**.

The President recognizes the following pages serving in the Senate this week:

J. David Akers, Bethel; Nathan Baskerville, Henderson; Sybil Elizabeth Bender, Pollocksville; Norman Adam Brown, Hampstead; William I. Coddington III, Charlotte; Mekita Shunta Davis, Charlotte; Jonathan Wieland Dodson, Wilmington; Natalie Ruth Garrison, Charlotte; David Wayne Hedgecock, Smithfield; Parr Vincent Henry, Concord; Christopher Morgan Hensley, Raleigh; Russell Maughan Hull III, Elizabeth City; Alesha Dawn Jones, Enfield; Katrina Dee Jones, Raleigh; Gregory Jay Kennedy, Shelby; Amanda Dawn McClellan, Marshall; Emily Newman, Charlotte; Emily Owens, Gastonia; Melva Evette Pinn, Charlotte; Christine Quigless, Raleigh; Collin David Quinn, Asheville; Erin Radford, Raleigh; Rebecca Elaine Rawl, Bethel; Tolan C. Raynor, Belhaven; Natalie Nicole Sanders, Clayton; Joseph Lee Sawyers, Raleigh; and Christopher R. Smith, Belhaven.

INTRODUCTION OF BILLS (*Continued*)

By Senators Kerr and Rand:

S.B. 5, a bill to provide incentives for high quality jobs and business expansion in North Carolina.

Referred to **Finance Committee**.

By Senator Kerr:

S.B. 6, a bill to provide tax reform and tax relief for the citizens of North Carolina by repealing the unconstitutional corporate tax credit for North Carolina wine, repealing the unconstitutional corporate tax deduction for North Carolina dividends, repealing the unconstitutional individual income tax credit for North Carolina dividends, revising the unconstitutional tax credit for qualified business investments, clarifying the tax treatment of refunds of unconstitutional taxes, clarifying the sales and use tax treatment of items given away by merchants, providing the Secretary of Revenue authority to improve use tax collection, exempting from sales and use tax inventory that is donated by a merchant to a charitable nonprofit organization, and repealing most State privilege license taxes.

Referred to **Finance Committee**.

By Senators Plyler and Rand:

S.B. 7, a bill to modify the State ports tax credit by expanding it to include forest products.

Referred to **Finance Committee**.

By Senators Kerr, Sherron, Hoyle, Perdue, and Rand:

S.B. 8, a bill to reduce taxes for the citizens of North Carolina and to refund to federal retirees the unconstitutional taxes they paid on their pensions for tax years 1985 through 1988.

Referred to **Finance Committee**.

By Senator Jordan:

S.B. 9, a bill to authorize the Pender County Board of Education to convey certain property at private sale to the Maple Hill Civic Club, Inc., a nonprofit corporation.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

By Senators Jordan and Rand:

S.B. 10, a bill to appropriate funds for the North Carolina Housing Trust Fund and to authorize the Legislative Research Commission to study possible sources of revenue dedicated to the perpetuation of the Housing Trust Fund.

Referred to **Appropriations Committee**.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

House of Representatives
July 8, 1996

Mr. President:

It is ordered that a message be sent to the Senate informing that Honorable Body that the House of Representatives, pursuant to the Proclamation issued by the Governor, is organized and stands ready to proceed with the public business of the 1996 Second Extra Session.

Respectfully,
S/ Denise Weeks
Principal Clerk

On motion of Senator Basnight, seconded by Senator Conder, the Senate adjourns at 2:24 P.M. to meet tomorrow, Tuesday, July 9, at 11:00 A.M.

SECOND DAY

SENATE CHAMBER
Tuesday, July 9, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Dear Lord, we all understand what the child meant when he explained to his teacher, 'It all started when he hit me back.' Forgive us that mentality!

"Too often we have become ensnared in disputes with our neighbors, relying upon human rules to resolve the differences rather than embracing Your Way, Your Truth, Your Life.

"Open our hearts and minds to You, today, so that we would hear, so that our souls would come alive, then we shall do what is right. Amen."

Senator Soles, Deputy President *Pro Tempore*, announces the Journal of yesterday, Monday, July 8, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. H. D. Tyndall from Goldsboro, who is serving the Senate as Doctor of the Day.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Ballantine:

S.B. 11, a bill to appropriate funds for the Carolina Beach Area South Project at Kure Beach for beach renourishment.

Referred to **Appropriations Committee**.

By Senators Warren, Conder, and Martin of Pitt:

S.B. 12, a bill to appropriate funds to the Board of Governors of the University of North Carolina to complete the expansion of the Dowdy–Ficklen Stadium at East Carolina University.

Referred to **Appropriations Committee**.

The Senate recesses at 11:14 A.M. to reconvene at 11:29 A.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

COMMITTEE APPOINTMENTS

The Chair recognizes Senator Basnight, President *Pro Tempore*, who announces additional appointments of Senator Dannelly and Senator Little to the **Finance Committee**.

REPORT OF COMMITTEES

A standing committee report is submitted out of the regular order of business, bills are read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Sherron for the **Finance Committee**:

S.B. 2, a bill to authorize Craven County to levy an additional room occupancy tax and to revise the existing Craven County room occupancy tax, with a favorable report.

S.B. 3, a bill to incorporate the Town of Peletier, with a favorable report.

S.B. 4, a bill to provide that milk products that are exempt from the soft drink tax are not required to register with the Department of Revenue for the exemption, with a favorable report.

On motion of Senator Sherron, the bill is re–referred to the **Appropriations Committee**.

S.B. 5, a bill to provide incentives for high quality jobs and business expansion in North Carolina, with a favorable report.

S.B. 6, a bill to provide tax reform and tax relief for the citizens of North Carolina by repealing the unconstitutional corporate tax credit for North Carolina wine, repealing the unconstitutional corporate tax deduction for North Carolina dividends, repealing the unconstitutional individual income tax credit for North Carolina dividends, revising the unconstitutional tax credit for qualified business investments, clarifying the tax treatment of refunds of unconstitutional taxes, clarifying the sales and use tax treatment of items given away by merchants, providing the Secretary of Revenue authority to improve use tax collection, exempting from sales and use tax inventory that is donated by a merchant to a charitable nonprofit organization, and repealing most State privilege license taxes, with a favorable report.

S.B. 7, a bill to modify the State ports tax credit by expanding it to include forest products, with a favorable report.

On motion of Senator Sherron, the bill is re–referred to the **Appropriations Committee**.

S.B. 8, a bill to reduce taxes for the citizens of North Carolina and to refund to federal retirees the unconstitutional taxes they paid on their pensions for tax years 1985 through 1988, with a favorable report, as amended.

Pursuant to Rule 45.1, the Chair places the bill before the Senate for immediate consideration and Committee Amendment No. 1 is adopted.

On motion of Senator Sherron, the Chair orders the bill, as amended, engrossed and re–referred to the **Appropriations Committee**.

WITHDRAWAL FROM CALENDAR

S.B. 5, a bill to provide incentives for high quality jobs and business expansion in North Carolina, placed earlier today on the Calendar for Wednesday, July 10.

Senator Sherron offers a motion the rules be suspended to the end the bill be taken from the Calendar for Wednesday, July 10, and placed on the Calendar for today for consideration upon second reading, which motions prevail with unanimous consent.

The Chair orders the bill taken from the Calendar for Wednesday, July 10, and places it on the Calendar for today, for consideration upon its passage upon second reading.

S.B. 6, a bill to provide tax reform and tax relief for the citizens of North Carolina by repealing the unconstitutional corporate tax credit for North Carolina wine, repealing the unconstitutional corporate tax deduction for North Carolina dividends, repealing the unconstitutional individual income tax credit for North Carolina dividends, revising the unconstitutional tax credit for qualified business

investments, clarifying the tax treatment of refunds of unconstitutional taxes, clarifying the sales and use tax treatment of items given away by merchants, providing the Secretary of Revenue authority to improve use tax collection, exempting from sales and use tax inventory that is donated by a merchant to a charitable nonprofit organization, and repealing most State privilege license taxes, placed earlier today on the Calendar for Wednesday, July 10.

Senator Sherron offers a motion the rules be suspended to the end the bill be taken from the Calendar for Wednesday, July 10, and placed on the Calendar for today for consideration upon its passage, which motions he subsequently withdraws.

S.B. 2, a bill to authorize Craven County to levy an additional room occupancy tax and to revise the existing Craven County room occupancy tax, placed earlier today on the Calendar for Wednesday, July 10.

Senator Kerr offers a motion the rules be suspended to the end the bill be taken from the Calendar for Wednesday, July 10, and placed on the Calendar for today for consideration upon second reading, which motions prevail with unanimous consent.

The Chair orders the bill taken from the Calendar for Wednesday, July 10, and places it on the Calendar for today, for consideration upon its passage upon second reading.

S.B. 3, a bill to incorporate the Town of Peletier, placed earlier today on the Calendar for Wednesday, July 10.

Senator Kerr offers a motion the rules be suspended to the end the bill be taken from the Calendar for Wednesday, July 10, and placed on the Calendar for today for consideration upon second reading, which motions prevail with unanimous consent.

The Chair orders the bill taken from the Calendar for Wednesday, July 10, and places it on the Calendar for today, for consideration upon its passage upon second reading.

CALENDAR

Bills placed on today's Calendar are taken up and disposed of, as follows:

S.B. 2, a bill to authorize Craven County to levy an additional room occupancy tax and to revise the existing Craven County room occupancy tax, upon second reading.

The bill passes its second reading by roll-call vote, ayes 38, noes 12, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Basnight, Blust, Carpenter, Carrington, Conder, Cooper, Dannelly, Davis, Edwards, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McKoy, Odom, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Smith, Soles, Speed, Warren, and Winner—38.

Voting in the negative: Senators Allran, Ballantine, Blackmon, Clark, Cochrane, East, Forrester, Foxx, McDaniel, Page, Simpson, and Webster—12.

The bill is ordered placed on the Calendar for tomorrow, Wednesday, July 10, for further consideration upon third reading.

S.B. 3, a bill to incorporate the Town of Peletier, upon second reading.

On motion of Senator East, the Chair orders the bill temporarily displaced.

S.B. 5, a bill to provide incentives for high quality jobs and business expansion in North Carolina, upon second reading.

The bill passes its second reading by roll–call vote, ayes 46, noes 3, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Soles, Speed, Warren, and Winner—46.

Voting in the negative: Senators East, McKoy, and Webster—3.

The bill is ordered placed on the Calendar for tomorrow, Wednesday, July 10, for further consideration upon third reading.

S.B. 3, a bill to incorporate the Town of Peletier, temporarily displaced earlier today, upon second reading.

Senator East offers Amendment No. 1, to incorporate the revival of the Charter of the Town of Wentworth.

Senator Perdue rises to a point of order under Rule 57.1 as to the germaneness of Amendment No. 1.

The Chair rules Amendment No. 1, offered by Senator East, not germane to the original subject matter of the bill.

Senator East appeals the ruling of the Chair to the Senate and calls for the 'ayes' and 'noes.' The call is sustained. (*See Appendix*)

The ruling of the Chair is sustained by roll–call vote, ayes 26, noes 23, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Basnight, Conder, Cooper, Dannelly, Edwards, Gulley, Hobbs, Hoyle, Jordan, Kerr, Lucas, Martin of Pitt, Martin of Guilford, Odom, Parnell, Perdue, Plexico, Plyler, Rand, Sherron, Soles, Speed, Warren, and Winner—26.

Voting in the negative: Senators Allran, Ballantine, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Davis, East, Forrester, Foxx, Hartsell, Horton, Kincaid, Ledbetter, Little, McDaniel, McKoy, Page, Shaw, Simpson, and Webster—23.

Amendment No. 1 is displaced and the bill passes its second reading by roll–call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Soles, Speed, Warren, Webster, and Winner—49.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Wednesday, July 10, for further consideration upon third reading.

INTRODUCTION OF BILLS

Bills filed today for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Kerr:

S.B. 13, a bill to appropriate funds to the Department of Revenue for costs relating to economic incentives tax credits.

Referred to **Finance Committee**.

By Senators McDaniel, East, Ballantine, Allran, Foxx, Kincaid, Clark, Davis, Forrester, Ledbetter, Smith, Carpenter, Page, Simpson, Shaw, Blust, Horton, Carrington, Webster, Little, Blackmon, Hartsell, Cochrane, and McKoy.

S.B. 14, a bill to repeal the increase in the corporate income tax enacted in 1991.

Referred to **Finance Committee**.

By Senators Plexico, Conder, Plyler, and Hoyle.

S.B. 15, a bill to appropriate funds for the Legislative Research Commission to study the role of North Carolina in global affairs.

Referred to **Appropriations Committee**.

By Senator Hoyle:

S.B. 16, a bill to clarify the sales and use tax law that applies to bundled transactions.

Referred to **Finance Committee**.

By Senators Forrester and Smith:

S.B. 17, a bill to ratify an agreement between the Iredell–Statesville Schools Board of Education and the Mooresville Graded School District Board of Education.

Referred to **Local Government and Regional Affairs Committee**.

By Senators Cochrane, Forrester, Simpson, Kincaid, McKoy, Carpenter, Ballantine, Speed, Foxx, Clark, Smith, Allran, McDaniel, Page, Shaw, Blust, Carrington, Horton, Little, Hartsell, Ledbetter, Blackmon, Davis, and Webster:

S.B. 18, a bill to exempt from sales and use tax tangible personal property that is manufactured or purchased for resale by a wholesale merchant or a retailer and then donated to a nonprofit organization to be used for a charitable purpose.

Referred to **Finance Committee**.

By Senators Clark, Ledbetter, Horton, Blust, McKoy, Jordan, Cochrane, Forrester, Little, East, Webster, Smith, Davis, Carpenter, Page, Allran, Hartsell, Simpson, Kincaid, McDaniel, Foxx, Carrington, Ballantine, and Blackmon:

S.B. 19, a bill to provide federal retirees a refundable tax credit, without interest, for State income tax paid on their retirement benefits for tax years 1985 through 1988.

Referred to **Finance Committee**.

On motion of Senator Basnight, seconded by Senator East, the Senate adjourns at 12:36 to meet tomorrow, Wednesday, July 10, at 11:00 A.M.

THIRD DAY

SENATE CHAMBER
Wednesday, July 10, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, quoting from Horace Walpole, as follows:

"Dear Lord, We believe that You bless us with 'imagination in order to compensate us for what we are not!' We also believe You bless us with a 'sense of humor in order to console us for what we are!'

"Bless the Lieutenant Governor, the Senators, staff, all of us with both imagination and sense of humor in all we do today. Amen."

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Tuesday, July 9, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Gilbert R. Alligood from Tarboro, who is serving the Senate as Doctor of the Day.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Davis, Cochrane, Foxx, Ballantine, Page, Forrester, Carpenter, McDaniel, Clark, Allran, Smith, Shaw, Kincaid, Carrington, Horton, Blust, Simpson, Ledbetter, Hartsell, Little, Webster, McKoy, and East:

S.B. 20, a bill to phase out over four years the four percent State sales tax on food.

Referred to **Finance Committee**.

By Senators Webster, McDaniel, Davis, East, Carpenter, Forrester, Blust, Allran, Little, Ballantine, McKoy, Smith, Kincaid, Carrington, Clark, Ledbetter, Foxx, Page, Horton, Simpson, Hartsell, Cochrane, and Shaw:

S.B. 21, a bill to repeal the State inheritance tax and retain the State estate tax.

Referred to **Finance Committee**.

By Senators Webster, Cochrane, Davis, Hartsell, Carpenter, Forrester, Ballantine, East, McDaniel, Little, Blust, Smith, Kincaid, Carrington, Clark, Blackmon, Ledbetter, Foxx, Horton, Simpson, Allran, Page, and Shaw:

S.B. 22, a bill to repeal most State privilege license taxes.

Referred to **Finance Committee**.

By Senators Foxx, Ballantine, Davis, Smith, Allran, Page, Clark, Carpenter, McDaniel, Ledbetter, Kincaid, Shaw, Blust, Horton, Webster, East, Simpson, Forrester, Little, Hartsell, Cochrane, Carrington, McKoy, and Blackmon:

S.B. 23, a bill to simplify and reduce inheritance taxes and gift taxes.

Referred to **Finance Committee**.

By Senator Warren:

S.B. 25, a bill to appropriate funds to the Board of Governors of the University of North Carolina for planning the Science Laboratories and Technology Building at East Carolina University.

Referred to **Appropriations Committee**.

By Senator Little:

S.B. 24, a bill to annex a described area to the Town of Aberdeen.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

ADDITIONAL SPONSORS

Senator Foxx requests to be added as a sponsor of previously introduced legislation:

S.B. 4, a bill to provide that milk products that are exempt from the soft drink tax are not required to register with the Department of Revenue for the exemption.

Senator Plexico requests to be added as a sponsor of previously introduced legislation:

S.B. 5, a bill to provide incentives for high quality jobs and business expansion in North Carolina.

S.B. 6, a bill to provide tax reform and tax relief for the citizens of North Carolina by repealing the unconstitutional corporate tax credit for North Carolina wine, repealing the unconstitutional corporate tax deduction for North Carolina dividends, repealing the unconstitutional individual income tax credit for North Carolina dividends, revising the unconstitutional tax credit for qualified business investments, clarifying the tax treatment of refunds of unconstitutional taxes, clarifying the sales and use tax treatment of items given away by merchants, providing the Secretary of Revenue authority to improve use tax collection, exempting from sales and use tax inventory that is donated by a merchant to a charitable nonprofit organization, and repealing most State privilege license taxes.

S.B. 8, a bill to reduce taxes for the citizens of North Carolina and to refund to federal retirees the unconstitutional taxes they paid on their pensions for tax years 1985 through 1988.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 2, a bill to authorize Craven County to levy an additional room occupancy tax and to revise the existing Craven County room occupancy tax, upon third reading.

The bill passes its third reading by roll-call vote, ayes 34, noes 11, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Blust, Carpenter, Carrington, Conder, Cooper, Dannelly, Davis, Edwards, Hartsell, Hobbs, Horton,

Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McKoy, Odom, Parnell, Perdue, Plyler, Rand, Sherron, Smith, Soles, Speed, Warren, and Winner—34.

Voting in the negative: Senators Allran, Ballantine, Clark, Cochrane, East, Forrester, Foxx, McDaniel, Page, Simpson, and Webster—11.

The bill is ordered sent to the House of Representatives.

S.B. 3, a bill to incorporate the Town of Peletier, upon third reading.

The bill passes its third reading by roll–call vote, ayes 46, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—46.

Voting in the negative: Senator Blackmon—1.

The bill is ordered sent to the House of Representatives.

S.B. 5, a bill to provide incentives for high quality jobs and business expansion in North Carolina, upon third reading.

Senator McDaniel offers Amendment No. 1 which is adopted (50–0).

With unanimous consent the President grants a leave of absence for the remainder of today's Session to Senator Basnight due to the threatening emergency from Hurricane "Bertha" approaching the State's east coast.

Senator Odom offers Amendment No. 2, held to be not material, which is adopted (49–0).

The bill, as amended, passes its third reading by roll–call vote, ayes 48, noes 1, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, and Winner—48.

Voting in the negative: Senator Webster—1.

The bill, as amended, is ordered engrossed and sent to the House of Representatives.

With unanimous consent, on motion of Senator Winner, remarks memorializing the life of William S. Lee former Chairman and President of Duke Power Company, and his efforts toward the passage of **S.B. 5** are spread upon the Journal, as follows:

By Senator Kerr:

"I would like to say, ladies and gentlemen of the Senate, that Bill Lee who is *emeritus* of Duke Power Company came here yesterday and fought for this bill in House Finance and also fought for this bill at the hearing. Mr. Lee who had some heart problems, and had surgery, died last night in New York. And he spent his last day in the trenches fighting for what was, he thought, was good for North Carolina."

By Senator Conder:

"Thank you, Mr. President, Members of the Senate, ladies and gentlemen. As Senator Kerr has already noted, we learned earlier this morning of the very, very untimely death of your friend, and my friend, and the State of North Carolina's friend, and the world's friend, Bill Lee.

"Bill Lee had committed his life after retiring as Chairman of Duke Power Company to making North Carolina a much better State than the way it was when he found it. He traveled this State, as you know, here and elsewhere speaking very eloquently on behalf of education, on behalf of industrial expansion, and whatever it would take to make North Carolina a better State than where he found it as I said earlier.

"But not only that, Bill Lee molded Duke Power Company into one of the most efficient, the most efficiently managed power companies, not only in North Carolina but in the world. Duke Power Company had operating subsidiaries that served numerous countries outside of the boundaries of North Carolina and America. And they were recognized worldwide for their innovation in nuclear power, steam generating power, as well as the construction industry and I could go on and on and on and tell you about what Bill Lee and he and his companies have done for this State's great state.

"But the main reason that I am speaking at this particular time is we had a public meeting yesterday up on the third floor concerning the **S.B. 5** that we are currently talking about, and Bill Lee flew in here Monday night on his way to New York to attend another meeting so he could be here and work on behalf of this bill yesterday. And we knew that he was not feeling well yesterday. He had openly stated that he was not feeling good Monday night when he got here, but out of his devotion and love for his State and for his Country, Bill Lee went yesterday very tirelessly from meeting to meeting talking to groups on behalf of this Senate bill. And I don't know anybody that had had prior heart trouble that would do what he did yesterday under those conditions.

"Mr. President, I just can't speak highly enough of Bill Lee and his commitment and I'm satisfied that the future history of this State will record numerous, numerous contributions that a wonderful man like Bill Lee has made for the State of North Carolina. And I for one just want to say thank you, Bill Lee. I want to say thank you to his family, and I certainly know that your heart and your thoughts and prayers will go out to the family of Bill Lee during this very, very serious time of his death. And I hope that others will join me in this area and let's continue to support this bill. And I don't know how we can do it, Mr. President, but we might want to honor Bill Lee's name in some way with this going forward because he certainly gave his life fighting for job expansion in North Carolina. Thank you."

Reading Clerk:

"Senator Odom moves to amend the bill on page 13, line 28 by adding a new Section to read as follows 'Section 12. This act shall be called the William S. Lee Quality Jobs and Business Expansion Act.'"

By Senator Odom:

"Members of the Senate, I believe it's very simple. It says what all of us that had any connection with Bill Lee; and I think this is a grand way to honor his memory, especially when he spent his last few hours of his life working for the passage of this bill. Thank you."

By Senator Blackmon:

"Bill Lee was a good friend, constituent and a strong North Carolinian. I spoke to him just two minutes before he spoke yesterday. And this is a great amendment. I hope you'll approve it. Thank you."

S.B. 6, a bill to provide tax reform and tax relief for the citizens of North Carolina by repealing the unconstitutional corporate tax credit for North Carolina wine, repealing the unconstitutional corporate tax deduction for North Carolina dividends, repealing the unconstitutional individual income tax credit for North Carolina dividends, revising the unconstitutional tax credit for qualified business investments, clarifying the tax treatment of refunds of unconstitutional taxes, clarifying the sales and use tax treatment of items given away by merchants, providing the Secretary of Revenue authority to improve use tax collection, exempting from sales and use tax inventory that is donated by a merchant to a charitable nonprofit organization, and repealing most State privilege license taxes, upon second reading.

The bill passes its second reading by roll–call vote, ayes 49, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—49.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Thursday, July 11, for further consideration upon third reading.

INTRODUCTION OF BILLS

Bills filed today for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Sherron:

S.B. 26, a bill to make changes in the Administrative Procedure Act, to make changes in various laws granting the power to adopt rules, to clarify the reporting date of the Joint Legislative Administrative Procedures Oversight Committee, and to clarify the requirements concerning certain removals of underground storage tanks.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

By Senator Jordan:

S.B. 27, a bill to create the North Carolina Gaming Study Commission.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

By Senators Jordan and Sherron:

S.B. 28, a bill to establish a State lottery to provide funds for educational purposes.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

By Senators Foxx and East:

S.B. 29, a bill to allow the City of Reidsville to delay the effective date of annexations as to a specified tract and to exempt the annexation of two city lakes from the ceiling on satellite annexations.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

PERSONAL PRIVILEGE

The Chair orders, without objection, the remarks of Senator Odom, who rises to a point of personal privilege, memorializing William S. Lee, former Chairman and President of Duke Power Company, spread upon the Journal, as follows

By Senator Odom:

"Members of the Senate, first I want to thank you for allowing the amendment to the bill that honors the memory of Bill Lee. And I wanted to wait until after that was passed to add a few more personal comments with regard to Mr. Lee.

"There's no question that he was an outstanding citizen of this State with regard to business development, but I cannot let this opportunity to go by without telling you that he was interested in other areas of the good of the State of North Carolina. I have known Mr. Lee for many, many years. And back when I was on the Park and Recreation Commission of Mecklenburg County he was a strong supporter of that and through his support and assistance we were able to acquire large tracts of land of nature preserve for Mecklenburg County. He was truly interested in the environment and he was a champion of the environment.

"But I think most importantly what I want to remind this Body of is that Bill Lee was probably more interested in the education of our citizens than anything else. He was always a strong supporter of bonds there in Mecklenburg County, and when he served as Chair of the North Carolina Citizens for Business and Industry he made education a priority of that organization's agenda. Yesterday, when he was addressing the Senate public meeting on economic development, he commented, and these are his words, 'High quality education is the most important economic development tool this State can have.' Bill Lee's life exemplified our State motto of '*Esse Quam Videre*.' Thank you."

On motion of Senator Soles, seconded by Senator Ballantine, the Senate adjourns at 12:00 Noon in memory of William S. Lee, former Chairman and President of Duke Power Company, to meet tomorrow, Thursday, July 11, at 10:00 A.M.

FOURTH DAY

SENATE CHAMBER
Thursday, July 11, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Almighty God, we always ask that You be an important part of the proceedings in this Senate Chamber. But today as the hurricane approaches, our thoughts and prayers are most earnestly directed in behalf of the people who reside on the coastline of our State.

"Some of our Senators live there with their families. All of us have friends or family members there.

"We remember Your Words of promise and protection spoken through the Prophet Isiah, 'Do not fear, I have called You by name, You are Mine. When You pass through the waters I will be with you, and through the rivers they shall not overwhelm you.' We pray for all those who may encounter this storm. Please keep them out of harms way. Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Forrester to cover his medical practice whose associate is taking Family Practice Board Exams, and to Senator Basnight to prepare for the threatening Hurricane 'Bertha.'

Senator Soles, Deputy President *Pro Tempore*, announces the Journal of yesterday, Wednesday, July 10, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. David B. Crosland from Mount Pleasant, who is serving the Senate as Doctor of the Day.

INTRODUCTION OF BILLS AND A RESOLUTION

Bills and a resolution filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senators Horton, Kerr, Hoyle, Ballance, Ledbetter, Blust, Clark, Odom, Rand, and Gulley:

S.J.R. 30, a joint resolution directing the Department of Transportation to maintain the grounds at the home of Nathaniel Macon.

Referred to **Appropriations Committee**.

By Senators Winner, Martin of Pitt, Cooper, Martin of Guilford, and Allran:

S.B. 31, a bill to extend the Child Fatality Task Force until 1999 as recommended by the Child Fatality Task Force.

Referred to **Rules and Operation of the Senate Committee**.

By Senators Kerr and Warren:

S.B. 32, a bill to provide tax credits for donations of real property to protect and enhance water quality.

Referred to **Finance Committee.**

By Senator Martin of Pitt:

S.B. 33, a bill to appropriate funds to the Agricultural Finance Authority for the reserve for farm loans.

Referred to **Appropriations Committee.**

By Senator Martin of Pitt:

S.B. 34, a bill to appropriate funds to the North Carolina Biotechnology Center for the business development program.

Referred to **Appropriations Committee.**

By Senators Martin of Pitt, Warren, and Rand:

S.B. 35, a bill to increase the monthly pension payments for qualified firemen and eligible rescue squad workers.

Referred to **Appropriations Committee.**

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages received in the office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 53, a bill to amend the budget and to appropriate funds for public education and for salary increases for teachers and State employees.

Referred to **Appropriations Committee.**

Senator Cochrane offers a motion the rules be suspended to the end the bill be taken from the **Appropriations Committee** and placed before the Senate for immediate consideration which motion she subsequently withdraws due to the statutory requirement of G.S. 120–111.3 mandating review by the **Pensions and Retirement/Insurance/State Personnel Committee** prior to consideration of the measure upon its passage.

H.B. 52, a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, and to make other changes in the budget operation of the State.

Referred to **Appropriations Committee.**

On motion of Senator Soles, seconded by Senator Conder, the Senate adjourns at 10:33 A.M. to meet Monday, July 15, at 7:00 P.M.

FIFTH DAY

SENATE CHAMBER
Monday, July 15, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"O Lord, we pray tonight for the people in our State whose lives and livelihoods have been dramatically interrupted because of the damage inflicted by last week's hurricane.

"Our prayer for them and for the Senators and the staff as they begin this week's activities is similar.

"May they go forward with steady step as they face the days ahead. Live, certain that You provide faith for unanswered questions, calm in difficult circumstances, and courage and strength for the long days and nights which they face.

"Help them to recall the ways in which You have blessed them—so that they may walk optimistically in Your light. Amen."

Senator Soles, Deputy President *Pro Tempore*, announces the Journal of Thursday, July 11, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Rob Morrell from Raleigh, who is serving the Senate as Doctor of the Day.

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Sherron:

S.B. 36, a bill to provide that the value of certain inventories is deductible in calculating a corporation's investment in tangible property in North Carolina for franchise tax purposes.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

By Senator Sherron:

S.B. 37, a bill to appropriate funds for a scientific isotope study to identify the nonpoint sources of nitrogen in the Cape Fear and Neuse River Basins.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

By Senators Sherron and Hoyle:

S.B. 38, a bill to appropriate funds to enhance State government access to all phases of the administrative rule–making process.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

By Senators Kerr and Plexico:

S.B. 39, a bill to reduce the corporate income tax rate.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

By Senator Sherron:

S.B. 40, a bill to appropriate funds for a scientific study to identify the nonpoint sources of nitrogen in the Cape Fear and Neuse River Basins.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A special message received in the office of the Principal Clerk from the House of Representatives transmitting a bill is presented to the Senate, read the first time, and disposed of, as follows:

H.B. 18 (Committee Substitute), a bill to phase out the State sales tax on food over four years, phase down the corporate income tax over four years, allow income and franchise tax credits for investments in business property and for research and development, phase out the soft drink tax over three years, reduce the sales tax rate on electricity and natural gas used in farming and manufacturing, modify the sales tax treatment of bundled transactions and free items given away by merchants, simplify and reduce inheritance and gift taxes, exempt from income tax severance wages paid due to plant closings, expand the property tax homestead exemption, and allow tax incentives for charitable donations.

Pursuant to Rule 43, the Committee Substitute bill is ordered held in the office of the Principal Clerk pending referral to committee.

COMMITTEE APPOINTMENT

The Chair recognizes Senator Basnight, President *Pro Tempore*, who announces appointments to the following committee:

PENSIONS AND RETIREMENT/INSURANCE/STATE PERSONNEL

Co–Chairmen:	Senator Conder
	Senator Soles
Vice–Chairmen:	Senator Kincaid
	Senator Martin of Pitt
	Senator Parnell
Ranking Minority:	Senator Shaw
Members:	Senators Carpenter, Edwards, McDaniel, McKoy, Odom, Plyler, Sherron, Smith, Speed, and Webster

CALENDAR

A bill on the Calendar carried forward as unfinished business from Thursday, July 11, is taken up and disposed of, as follows:

S.B. 6, a bill to provide tax reform and tax relief for the citizens of North Carolina by repealing the unconstitutional corporate tax credit for North Carolina wine, repealing the unconstitutional corporate tax deduction for North Carolina dividends, repealing the unconstitutional individual income tax credit for North Carolina dividends, revising the unconstitutional tax credit for qualified business investments, clarifying the tax treatment of refunds of unconstitutional taxes, clarifying the sales and use tax treatment of items given away by merchants, providing the Secretary of Revenue authority to improve use tax collection, exempting from sales and use tax inventory that is donated by a merchant to a charitable nonprofit organization, and repealing most State privilege license taxes, upon third reading.

Senator McDaniel offers Amendment No. 1 with a fiscal note attached.

Senator Kerr rises to a point of order as to Members who are professionals and subject to a privilege license in conflict of interest. The Chair declines to entertain the point of order.

Senator Webster rises to a point of order as to Amendment No. 1 a material Amendment. The Chair holds Amendment No. 1 not material.

Without objection the following Senators are excused from voting on Amendment No. 1:

Senator Blust—"potential conflict of interest";
Senator Gulley—"I stand to benefit in a direct financial way from action taken on this Amendment";
Senator Hartsell—"conflict";
Senator Horton; and
Senator Ledbetter—"licensed real estate broker and would be affected by this Amendment."

Senator McDaniel calls for the previous question on Amendment No. 1, seconded by Senator Ballantine. The call is sustained.

Amendment No. 1, offered by Senator McDaniel, fails of adoption (21–24).

Senator Kerr calls the previous question, seconded by Senator Rand. The call is sustained.

The bill passes its third reading by roll–call vote, ayes 48, noes 2, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—48.

Voting in the negative: Senators Edwards and Shaw—2.

The bill is ordered sent to the House of Representatives.

COMMITTEE REFERRALS

The Chair recognizes Senator Rand, Chairman of the **Rules and Operation of the Senate Committee**, who announces referral to committee of the following bills ordered held in the office of the Principal Clerk, pursuant to Rule 43 earlier tonight:

S.B. 36, a bill to provide that the value of certain inventories is deductible in calculating a corporation's investment in tangible property in North Carolina for

franchise tax purposes.
Referred to **Finance Committee.**

S.B. 38, a bill to appropriate funds to enhance State government access to all phases of the administrative rule–making process.
Referred to **Appropriations Committee.**

S.B. 39, a bill to reduce the corporate income tax rate.
Referred to **Finance Committee.**

S.B. 40, a bill to appropriate funds for a scientific study to identify the nonpoint sources of nitrogen in the Cape Fear and Neuse River Basins.
Referred to **Appropriations Committee.**

H.B. 18 (Committee Substitute), a bill to phase out the State sales tax on food over four years, phase down the corporate income tax over four years, allow income and franchise tax credits for investments in business property and for research and development, phase out the soft drink tax over three years, reduce the sales tax rate on electricity and natural gas used in farming and manufacturing, modify the sales tax treatment of bundled transactions and free items given away by merchants, simplify and reduce inheritance and gift taxes, exempt from income tax severance wages paid due to plant closings, expand the property tax homestead exemption, and allow tax incentives for charitable donations.
Referred to **Finance Committee.**

INTRODUCTION OF BILLS

A bill filed tonight is presented to the Senate, read a first time, and disposed of, as follows:

By Senators Cooper and Winner:
S.B. 41, a bill to provide for nonpartisan election of superior court judges in their districts.
Referred to **Appropriations Committee.**

REPORT TO GENERAL ASSEMBLY

An agency directed to report to the General Assembly submits a report (*see Addendum*) which is ordered placed on file in the Legislative Library, as follows:

Pursuant to Chapter 507, Section 23.11A of the 1995 Session Laws, the North Carolina Department of Human Resources submits Domiciliary Care Report for the Fourth Quarter of SFY 1995–96.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages received from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 4, a bill extending rights to petition for voluntary noncontiguous annexation into the City of Henderson.
Referred to **Finance Committee.**

H.B. 5, a bill to ratify an agreement between the Iredell–Statesville Schools Board of Education and the Mooresville Graded School District Board of Education.
Referred to **Finance Committee.**

H.B. 6, a bill to remove certain described property from the corporate limits of the Town of Spruce Pine.
Referred to **Finance Committee.**

H.B. 15, a bill to annex a described area to the corporate limits of the Town of Mount Olive.
Referred to **Finance Committee.**

PAGES

The President recognizes the following pages serving in the Senate this week:

Traci Carol Barrett, Wendell; Carrah Ann Brown, Cary; James Cooper, Autryville; Femi David–Yerumo, Jr., Durham; Abby Emerson, Raleigh; Janine Nicole Emerson, Raleigh; Ryan F. Finan, Hertford; Jennifer Anne Gasque, Parkton; Charles Little McBryde Grannis, Fayetteville; Edward Whitaker Grannis III, Fayetteville; Samuel Hupman, Mebane; Amina Johnson, Durham; Suzanne Nicole Johnson, High Point; Latoria Lennon, Whiteville; Ashley Lauren Liggins, Garner; Maurice Mitchell, Leicester; Robert Michael Dane Onorio, Newport; Nathan L. Pilkington, Concord; Demetreus Montress Powell, Chadbourn; Tamara Jamille Simpson, Elon College; Cornell Woodrow Singletary, Whiteville; Julie Smith, LaGrange; Matthew Scott Smith, Mebane; Barion Snowten, Chadbourn; Joseph David Vess, Southern Pines; and Kolita LaToshia Williams, Kings Mountain.

On motion of Senator Basnight, seconded by Senator Little, the Senate adjourns at 8:06 P.M. to meet tomorrow, Tuesday, July 16, at 10:30 A.M.

SIXTH DAY

SENATE CHAMBER
Tuesday, July 16, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"O God, most of us are about as happy as we make our minds to be!

"An unknown source illustrates that truth this way:

A little boy was overheard talking to himself as he strode through his backyard, baseball cap in place and toting ball and bat. 'I'm the greatest baseball player in the world,' he said proudly. Then he tossed the ball in the air, swung and missed. Undaunted, picked up the ball, threw it into the air and said to himself, 'I'm the greatest player ever!' He swung at the ball again, and again he missed. He paused a moment to examine bat and ball carefully. Then once again he threw the ball into the air and said, 'I'm the greatest baseball player who ever lived.' He swung the bat hard and again missed the ball.

'Wow!' he exclaimed. 'What a pitcher!'

"Those of us who wish to sing always find a song. Let us sing Your Song, O God, gladly, today. Amen."

Senator Soles, Deputy President *Pro Tempore*, announces the Journal of yesterday, Monday, July 15, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Herbert M. Baker from Eden, who is serving the Senate as Doctor of the Day.

The Chair extends courtesies of the gallery to C.C. Cameron, newly elected Chairman of the Board of Governors of the University of North Carolina.

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Plyler for the **Appropriations Committee**:

H.B. 53, a bill to amend the budget and to appropriate funds for public education and for salary increases for teachers and State employees, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Plyler, the proposed Senate Committee Substitute bill 4291, which changes the title, upon concurrence, to read **H.B. 53** (Senate Committee Substitute), a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, and to make other changes in the budget operation of the State, with actuarial notes attached, is placed before the Senate for immediate consideration.

On motion of Senator Plyler, the Senate Committee Substitute bill is adopted, and on his further motion the Senate Committee Substitute bill is re–referred to the **Pensions and Retirement/Insurance/State Personnel Committee** with a recommendation, upon a favorable report, for referral to the **Finance Committee**.

With unanimous consent, the Senate recesses at 11:11 A.M. for the purpose of a meeting of the **Pensions and Retirement/Insurance/State Personnel Committee** to reconvene at 11:28 A.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

With unanimous consent, the President grants a leave of absence for the remainder of today's Session to Senator Hartsell.

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Soles for the **Pensions and Retirement/Insurance/State Personnel Committee:**

H.B. 53 (Senate Committee Substitute), a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, and to make other changes in the budget operation of the State, with a favorable report.

On motion of Senator Soles, the Senate Committee Substitute bill is re–referred to the **Finance Committee.**

With unanimous consent, the Senate recesses at 11:29 A.M. for the purpose of a meeting of the **Finance Committee** to reconvene at 12:07 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Sherron for the **Finance Committee:**

H.B. 53 (Senate Committee Substitute), a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, and to make other changes in the budget operation of the State, with a favorable report.

On motion of Senator Basnight, the rules are suspended to the end the Senate Committee Substitute bill remains before the Senate for immediate consideration upon its passage.

The Chair extends courtesies of the gallery to Sithembiso G.S. Nyoni, Deputy Minister of Ministry of Public Construction and National Housing from Zimbabwe.

Senator Kincaid offers Amendment No. 1 which he subsequently withdraws.

Senator Kincaid offers a motion that the vote by which the Senate Committee Substitute bill was adopted be reconsidered, which motion fails to prevail (23–26).

Senator Ballantine offers Amendment No. 2.

Senator Gulley offers Amendment No. 3, held to be germane, to substitute for Amendment No. 2, offered by Senator Ballantine.

Following debate, Senator Gulley calls the previous question on Amendment No. 3, seconded by Senator Rand. The call is sustained. Upon a tie–vote, the Lieutenant Governor votes "aye" and Amendment No. 3, offered by Senator Gulley is adopted (25–24).

Senator Ballantine rises to a point of order under Rule 42.3 as to the requirement for an assessment report as required by G.S. 120–149 attached to Amendment No. 3.

The Chair fails to sustain the point of order.

Senator Cochrane offers Amendment No. 4 which is adopted (49–0).

Senator Perdue offers Amendment No. 5 which is adopted (41–6).

Senator Webster offers Amendment No. 6 which is adopted (25–24).

Senator Martin of Guilford offers Amendment No. 7 which is adopted (47–1).

Senator Blust offers a motion that the vote by which Amendment No. 3 was adopted be reconsidered, which motion prevails (25–24), and the question becomes the adoption of Amendment No. 3, a substitute for Amendment No. 2.

Amendment No. 3 subsequently fails of adoption (23–26) and the question becomes the adoption of Amendment No. 2 offered by Senator Ballantine. Amendment No. 2 is adopted (27–22).

Senator Sherron offers a motion that the vote by which Amendment No. 6 was adopted be reconsidered, which motion prevails (26–23), and the question becomes the adoption of Amendment No. 6.

Senator Webster requests the bill with Amendment No. 6 pending be temporarily displaced, which request is denied.

Senator Webster requests a recess which request the Chair does not honor.

Amendment No. 6 fails of adoption (24–25).

Senator Perdue calls the previous question, seconded by Senator Rand. The call is sustained.

The Senate Committee Substitute bill, as amended, passes its second reading (26–23).

With unanimous consent, the Senate Committee Substitute bill, as amended, remains before the Senate, for further consideration, upon third reading.

Following further debate, Senator Perdue calls the previous question, seconded by Senator Rand. The call is sustained.

The Senate Committee Substitute bill, as amended, passes its third reading (26–23) and is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

INTRODUCTION OF A BILL

A bill filed for introduction is presented to the Senate, read the first time, and disposed of, as follows:

By Senator Sherron:

S.B. 42, a bill to simplify and revise the tax on publishers of newsprint publications.

Referred to **Finance Committee**.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A special message received in the office of the Principal Clerk from the House of Representatives transmitting a bill is presented to the Senate, read the first

time, and disposed of, as follows:

H.B. 2, a bill to redefine the corporate limits of the Town of Summerfield.
Referred to **Finance Committee.**

EXECUTIVE ORDER

An Executive Order received (*see Appendix*) is presented to the Senate, read, and referred to committee, as follows:

Executive Order Number 97, Emergency Relief for Damage Caused by Hurricane Bertha.
Referred to **Rules and Operation of the Senate Committee.**

On motion of Senator Basnight, seconded by Senator Ballantine, the Senate adjourns at 3:41 P.M. to meet tomorrow, Wednesday, July 17, at 10:30 A.M.

SEVENTH DAY

SENATE CHAMBER
Wednesday, July 17, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"O God, we are reminded that during the 1994 professional baseball strike, Chicago Cubs broadcaster Harry Caray had this to say about the dispute between the players and the owners, 'I don't know who is right, but they are both wrong.'

"There is no nobler calling on this earth than the seeking for peace.

"Today, we remember the prayer of Saint Augustine and pray, Lord, make us instruments of Your Peace. Where there is disharmony, let us sow reconciliation.

"We pray this prayer in Your Holy Name. Amen."

Senator Soles, Deputy President *Pro Tempore*, announces the Journal of yesterday, Tuesday, July 16, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

With unanimous consent, the President grants a leave of absence for today to Senator East due to a death in his family.

The President of the Senate extends courtesies of the floor to Dr. Sarah Ringel from Hillsborough, who is serving the Senate as Doctor of the Day.

ENROLLED BILL

The Enrolling Clerk reports the following bill properly enrolled, duly ratified, and sent to the Office of the Secretary of State.

S.B. 3, an act to incorporate the Town of Peletier. (Ch. 1)

REPORT OF COMMITTEE

Bills are reported from a standing committee, read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Sherron for the **Finance Committee**:

With unanimous consent, on motion of Senator Sherron, the rules are suspended to the end all bills reported are placed before the Senate for immediate consideration.

H.B. 4, a bill extending rights to petition for voluntary noncontiguous annexation into the City of Henderson, with a favorable report.

Pursuant to the motion of Senator Sherron, the bill is placed before the Senate for immediate consideration upon second reading.

The bill passes its second reading by roll–call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—48.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Thursday, July 18, for further consideration upon third reading.

H.B. 5, a bill to ratify an agreement between the Iredell–Statesville Schools Board of Education and the Mooresville Graded School District Board of Education, with a favorable report.

Pursuant to the motion of Senator Sherron, the bill is placed before the Senate for immediate consideration upon second reading.

The bill passes its second reading by roll–call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—48.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Thursday, July 18, for further consideration upon third reading.

H.B. 6, a bill to remove certain described property from the corporate limits of the Town of Spruce Pine, with a favorable report.

Pursuant to the motion of Senator Sherron, the bill is placed before the Senate for immediate consideration upon second reading.

The bill passes its second reading by roll–call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—48.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Thursday, July 18, for further consideration upon third reading.

H.B. 15, a bill to annex a described area to the corporate limits of the Town of Mount Olive, with a favorable report.

Pursuant to the motion of Senator Sherron, the bill is placed before the Senate for immediate consideration upon second reading.

The bill passes its second reading by roll–call vote, ayes 48, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—48.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Thursday, July 18, for further consideration upon third reading.

With unanimous consent, the Senate recesses at 11:02 A.M. for the purpose of a meeting of the **Finance Committee** to reconvene at 1:30 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

REPORT OF COMMITTEE

By Senator Kerr with Senator Sherron for the **Finance Committee**:

H.B. 18 (Committee Substitute), a bill to phase out the State sales tax on food over four years, phase down the corporate income tax over four years, allow income and franchise tax credits for investments in business property and for research and development, phase out the soft drink tax over three years, reduce the sales tax rate on electricity and natural gas used in farming and manufacturing, modify the sales tax treatment of bundled transactions and free items given away by merchants, simplify and reduce inheritance and gift taxes, exempt from income tax severance wages paid due to plant closings, expand the property tax homestead exemption, and allow tax incentives for charitable donations, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Kerr, the rules are suspended, and the proposed Senate Committee Substitute bill 8326, which changes the title, upon concurrence, to read **H.B. 18** (Senate Committee Substitute), a bill to allow income and franchise tax credits for investment in machinery and equipment, creating jobs, increasing research and development, and worker training, to modify the sales tax treatment of bundled transactions, to expand the property tax homestead exemption, and to reduce the franchise tax on certain inventories, is placed before the Senate for immediate consideration, and on his further motion the Senate Committee Substitute bill, held to be material, is adopted, constituting the first reading of the measure.

The Chair orders the Senate Committee Substitute bill placed on the Calendar for tomorrow, Thursday, July 18, for further consideration, upon second reading.

With unanimous consent, the Senate recesses at 1:51 P.M. to reconvene at 2:45 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

With unanimous consent, the President grants a leave of absence for the remainder of today's Session to Senator Little.

With no business to place before the Senate, the Senate recesses at 3:12 P.M. to reconvene at 3:30 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

With no business to place before the Senate, the Senate recesses at 4:27 P.M. for the purpose of a meeting of the **Appropriations Committee** to reconvene at 4:40 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages received in the office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 17, a bill to correct, set out, and clarify the boundaries of the Town of Danbury and to validate actions of the Town.

On motion of Senator Rand, the rules are suspended, without objection, and the bill is placed on the Calendar for tomorrow, Thursday, July 18, for consideration upon second reading.

H.B. 34, a bill to add certain described property to the corporate limits of the Town of Spruce Pine, and to exempt the property from the ceiling on satellite annexations by the Town.

On motion of Senator Rand, the rules are suspended, without objection, and the bill is placed on the Calendar for tomorrow, Thursday, July 18, for consideration upon second reading.

H.B. 36, a bill to enable the County of Lincoln and the City of Lincolnton to establish an Airport Authority for the maintenance of airport facilities in the County.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

COMMITTEE REFERRAL RECALL

H.B. 2, a bill to redefine the corporate limits of the Town of Summerfield, referred to the **Finance Committee** on July 16.

Pursuant to Rule 47(b), Senator Kerr offers a motion the bill be taken from the **Finance Committee** and placed before the Senate for consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Finance Committee** and places it before the Senate for immediate consideration upon second reading.

The bill passes its second reading by roll–call vote, ayes 45, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Conder, Cooper, Dannelly, Davis, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Ledbetter, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Smith, Soles, Speed, Warren, Webster, and Winner—45.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Thursday, July 18, for further consideration upon third reading.

REPORT OF COMMITTEE

A standing committee report is submitted out of the regular order of business, a bill is read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Plyler for the **Appropriations Committee**:

H.B. 52, a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, and to make other changes in the budget operation of the State, with an unfavorable report as to bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Plyler, the rules are suspended, and the proposed Senate Committee Substitute bill 5286, which changes the title, upon concurrence, to read **H.B. 52** (Senate Committee Substitute), a bill to make changes in the budget operation of the State and to strengthen the Juvenile Justice System, is placed before the Senate for immediate consideration.

Senator Webster calls for the "ayes" and "noes" upon the adoption of the Committee Substitute bill, which call is sustained with unanimous consent. On motion of Senator Plyler, the Senate Committee Substitute bill is adopted by roll–call vote, ayes 31, noes 14, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Basnight, Carpenter, Conder, Cooper, Dannelly, Davis, Edwards, Gulley, Hartsell, Hobbs, Hoyle, Jordan, Kerr, Lucas, Martin of Pitt, Martin of Guilford, Odom, Parnell, Perdue, Plexico, Plyler, Rand, Sherron, Smith, Soles, Speed, Warren, and Winner—31.

Voting in the negative: Senators Ballantine, Blackmon, Blust, Carrington, Clark, Forrester, Foxx, Horton, Ledbetter, McDaniel, McKoy, Page, Shaw, and Webster—14.

Senator Plyler offers a motion the rules be suspended to the end the Senate Committee Substitute bill remain before the Senate for further consideration upon its passage.

With the motion of Senator Plyler pending, with unanimous consent, the Senate recesses at 4:55 P.M. to reconvene at 5:20 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

H.B. 52 (Senate Committee Substitute), a bill to make changes in the budget operation of the State and to strengthen the Juvenile Justice System, with the motion offered by Senator Plyler pending for immediate consideration of the measure upon its passage.

The motion of Senator Plyler to suspend the rules to the end the Senate Committee Substitute bill remain before the Senate for further consideration prevails and the Chair lays the measure before the Body upon its passage.

The Senate Committee Substitute bill passes its second (46–1) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

On motion of Senator Basnight, seconded by Senator Cooper, the Senate adjourns at 5:35 P.M. in memory of Lois Clark Cooper, the grandmother of Senator Roy Cooper, to meet tomorrow, Thursday, July 18, at 10:30 A.M.

EIGHTH DAY

SENATE CHAMBER
Thursday, July 18, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, paraphrasing a prayer by Peter Marshall, as follows:

"Our Father, save us from the conceit which refuses to believe that You know more about important decisions that confront us than we do. Deliver us from any stubbornness that will not seek Your Help.

"Holy Scripture says, 'If any one lack wisdom, let that one ask of God, who giveth to all people liberally, and it shall be given.'

"You know, Lord, how much we need wisdom. Make us willing to ask for it and eager to have it. Amen."

Senator Soles, Deputy President *Pro Tempore*, announces the Journal of yesterday, Wednesday, July 17, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate extends courtesies of the floor to Dr. Charles W. Lapp from Charlotte, who is serving the Senate as Doctor of the Day.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 2, a bill to redefine the corporate limits of the Town of Summerfield, upon third reading.

The bill passes its third reading by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—47.

Voting in the negative: None.

The bill is ordered enrolled.

H.B. 4, a bill extending rights to petition for voluntary noncontiguous annexation into the City of Henderson, upon third reading.

The bill passes its third reading by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—47.

Voting in the negative: None.

The bill is ordered enrolled.

H.B. 5, a bill to ratify an agreement between the Iredell-Statesville Schools Board of Education and the Mooresville Graded School District Board of Education, upon third reading.

The bill passes its third reading by roll-call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder,

Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—47.

Voting in the negative: None.

The bill is ordered enrolled.

H.B. 6, a bill to remove certain described property from the corporate limits of the Town of Spruce Pine, upon third reading.

The bill passes its third reading by roll–call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—47.

Voting in the negative: None.

The bill is ordered enrolled.

H.B. 15, a bill to annex a described area to the corporate limits of the Town of Mount Olive, upon third reading.

The bill passes its third reading by roll–call vote, ayes 47, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—47.

Voting in the negative: None.

The bill is ordered enrolled.

H.B. 17, a bill to correct, set out, and clarify the boundaries of the Town of Danbury and to validate actions of the Town, upon second reading.

The bill passes its second reading by roll–call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Plexico, Plyler, Rand, Shaw, Sherron, Smith, Soles, Speed, Warren, Webster, and Winner—46.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Friday, July 19, for further consideration upon third reading.

H.B. 34, a bill to add certain described property to the corporate limits of the Town of Spruce Pine, and to exempt the property from the ceiling on satellite annexations by the Town, upon second reading.

The bill passes its second reading by roll–call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder,

Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Plexico, Plyler, Rand, Shaw, Sherron, Smith, Soles, Speed, Warren, Webster, and Winner—46.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Friday, July 19, for further consideration upon third reading.

With unanimous consent, the Senate recesses at 10:41 A.M. to reconvene at 10:49 A.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

CALENDAR (*Continued*)

H.B. 18 (Committee Substitute), a bill to ensure the best use of day care funds, changing the title, upon concurrence, to read **H.B. 18** (Senate Committee Substitute), a bill to allow income and franchise tax credits for investment in machinery and equipment, creating jobs, increasing research and development, and worker training, to modify the sales tax treatment of bundled transactions, to expand the property tax homestead exemption, and to reduce the franchise tax on certain inventories, upon second reading.

Following the explanation of the Senate Committee Substitute bill, Senator Kerr calls the previous question, seconded by Senator Rand.

Senator Kincaid calls for the "ayes" and "noes" on the motion. The call is sustained.

The call for the previous question is sustained by roll-call vote, ayes 26, noes 23, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Basnight, Conder, Cooper, Dannelly, Edwards, Gulley, Hobbs, Hoyle, Jordan, Kerr, Lucas, Martin of Pitt, Martin of Guilford, Odom, Parnell, Perdue, Plexico, Plyler, Rand, Sherron, Soles, Speed, Warren, and Winner—26.

Voting in the negative: Senators Allran, Ballantine, Blust, Carpenter, Carrington, Clark, Cochrane, Davis, East, Forrester, Foxx, Hartsell, Horton, Kincaid, Ledbetter, Little, McDaniel, McKoy, Page, Shaw, Simpson, Smith, and Webster—23.

The Senate Committee Substitute bill passes its second reading by roll-call vote, ayes 47, noes 2, as follows:

Voting in the affirmative: Senators Albertson, Allran, Ballance, Ballantine, Basnight, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Gulley, Hartsell, Hobbs, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Smith, Soles, Speed, Warren, and Winner—47.

Voting in the negative: Senators Simpson and Webster—2.

The Senate Committee Substitute bill is ordered placed on the Calendar for tomorrow, Friday, July 19, for further consideration upon third reading

With unanimous consent, the Senate recesses at 11:27 A.M. to reconvene at 11:50 A.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

With unanimous consent, the President grants a leave of absence for the remainder of today's Session to Senator Webster.

With no business to place before the Senate, the Senate recesses at 11:51 A.M. to reconvene at 2:00 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

ENROLLED BILLS

The Enrolling Clerk reports the following bills properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

H.B. 2, an act to redefine the corporate limits of the Town of Summerfield. (Ch. 2)

H.B. 4, an act extending rights to petition for voluntary noncontiguous annexation into the City of Henderson. (Ch. 3)

H.B. 5, an act to ratify an agreement between the Iredell–Statesville Schools Board of Education and the Mooresville Graded School District Board of Education. (Ch. 4)

H.B. 6, an act to remove certain described property from the corporate limits of the Town of Spruce Pine. (Ch. 5)

H.B. 15, an act to annex a described area to the corporate limits of the Town of Mount Olive. (Ch. 6)

With unanimous consent, the Senate recesses at 2:22 P.M. to reconvene at 3:30 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

With unanimous consent, the President grants a leave of absence for the remainder of today's Session to Senator Edwards, Senator Forrester, and Senator McKoy.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages received in the office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 20 (Committee Substitute), a bill to reactivate the Charter of the Town of Wilson's Mills in Johnston County, and to allow deannexation of an area by the Town of Four Oaks.

Pursuant to Rule 43, the Committee Substitute bill is ordered held in the office of the Principal Clerk pending referral to committee.

H.B. 79, a bill to authorize funds to be allocated from the Savings Reserve Account for disaster relief.

Referred to **Appropriations Committee.**

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

H.B. 52
(Senate Committee Substitute)

House of Representatives
July 18, 1996

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House failed to concur in Senate Committee Substitute for **HB 52**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE BUDGET OPERATION OF THE STATE AND TO STRENGTHEN THE JUVENILE JUSTICE SYSTEM, the Speaker has appointed as conferees on the part of the House, Representatives Holmes, Esposito, and Creech, Co–chairs; Daughtry, Russell, Bowie, Grady, Preston, Weatherly, Mitchell, Thompson, Justus, Gardner, Lemmond, Ives, Nye, Crawford, Cummings, Kiser and Morgan to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
S/Denise Weeks
Principal Clerk

Senator Basnight offers a motion the Senate do appoint conferees, which motion prevails.

The President *Pro Tempore* appoints Senator Plyler, Chairman, and Senators Perdue, Odom, Sherron, Kerr, Conder, Rand, Martin of Guilford, Martin of Pitt, Plexico, Winner, Hoyle, Warren, Ballance, Cooper, Gulley, Jordan, and Lucas as conferees on the part of the Senate to resolve the differences arising between the two Bodies and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

On motion of Senator Basnight, seconded by Senator Speed, the Senate adjourns at 3:50 P.M. to meet tomorrow, Friday, July 19, at 8:30 A.M.

NINTH DAY

SENATE CHAMBER
Friday, July 19, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, quoting from *Resident Aliens* by William H. Willimon and Stanley M. Hauerwas, as follows:

"O Lord, even at this early hour awaken us to the Presence of Your Spirit.
"In all the debate that ensues today within this Chamber, remind us that 'No ethic is worthy that does not require potential sacrifice. We wish that there were some means of holding convictions without requiring some to suffer.'
"'But You are a real God who makes real demands upon us. You are about serious business. Any ethic worth having involves sacrifice.' Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Allran; to Senator Ballantine; to Senator Blackmon due to a previous business plan; to Senator Edwards; to Senator Forrester to cover medical practice; to Senator Hobbs due to business; to Senator Kincaid; to Senator Soles; and to Senator Shaw.

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Thursday, July 18, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

H.B. 17, a bill to correct, set out, and clarify the boundaries of the Town of Danbury and to validate actions of the Town, upon third reading.
The bill passes its third reading by roll-call vote, ayes 39, noes 0, as follows:
Voting in the affirmative: Senators Albertson, Ballance, Basnight, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Foxx, Gulley, Hartsell, Horton, Hoyle, Jordan, Kerr, Ledbetter, Little, Lucas, Martin of Pitt, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Sherron, Smith, Speed, Warren, Webster, and Winner—39.
Voting in the negative: None.
The bill is ordered enrolled.

H.B. 34, a bill to add certain described property to the corporate limits of the Town of Spruce Pine, and to exempt the property from the ceiling on satellite annexations by the Town, upon third reading.
The bill passes its third reading by roll-call vote, ayes 39, noes 0, as follows:
Voting in the affirmative: Senators Albertson, Ballance, Basnight, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East,

Foxx, Gulley, Hartsell, Horton, Hoyle, Jordan, Kerr, Ledbetter, Little, Lucas, Martin of Pitt, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Sherron, Smith, Speed, Warren, Webster, and Winner—39.

Voting in the negative: None.

The bill is ordered enrolled.

H.B. 18 (Committee Substitute), a bill to phase out the State sales tax on food over four years, phase down the corporate income tax over four years, allow income and franchise tax credits for investments in business property and for research and development, phase out the soft drink tax over three years, reduce the sales tax rate on electricity and natural gas used in farming and manufacturing, modify the sales tax treatment of bundled transactions and free items given away by merchants, simplify and reduce inheritance and gift taxes, exempt from income tax severance wages paid due to plant closings, expand the property tax homestead exemption, and allow tax incentives for charitable donations, which title changes, upon concurrence, to read **H.B. 18** (Senate Committee Substitute), a bill to allow income and franchise tax credits for investment in machinery and equipment, creating jobs, increasing research and development, and worker training, to modify the sales tax treatment of bundled transactions, to expand the property tax homestead exemption, and to reduce the franchise tax on certain inventories, upon third reading.

Senator Kerr offers Amendment No. 1, held to be not material, which is adopted (40–0).

Senator Kerr calls the previous question, seconded by Senator Rand. The call is sustained.

The Senate Committee Substitute bill, as amended, passes its third reading by roll–call vote, ayes 39, noes 0, as follows:

Pair announced: Senator Webster "no"; Senator Forrester "aye."

Voting in the affirmative: Senators Albertson, Ballance, Basnight, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Foxx, Gulley, Hartsell, Horton, Hoyle, Jordan, Kerr, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Parnell, Perdue, Plexico, Plyler, Rand, Sherron, Smith, Speed, Warren, and Winner—39.

Voting in the negative: None.

The Senate Committee Substitute bill, as amended, is ordered engrossed and sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

REFERRAL TO COMMITTEE

S.B. 26, a bill to make changes in the Administrative Procedure Act, to make changes in various laws granting the power to adopt rules, to clarify the reporting date of the Joint Legislative Administrative Procedures Oversight Committee, and to clarify the requirements concerning certain removals of underground storage tanks, ordered held in the office of the Principal Clerk on July 10.

Senator Rand, Chairman of the **Rules and Operation of the Senate Committee**, pursuant to Rule 43 announces referral of the bill to the **Finance Committee**.

On motion of Senator Basnight, seconded by Senator Sherron, the Senate adjourns at 9:12 A.M. to meet Monday, July 22, at 7:00 P.M.

TENTH DAY

SENATE CHAMBER
Monday, July 22, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Our Lord, in the house of Simon, the leper at Bethany, a woman broke an alabaster jar of very costly ointment and poured it on Jesus' head. Scripture says it was worth a whole year's wages for one person.

"Jesus' disgruntled disciples complained, 'What a waste! The ointment could have been sold for a large sum of money and used in many more constructive ways.'

"Like the disciples, all of us have had the occasion to argue over budgets because we all have priorities. We pray, especially, this week for the Senate and House conferees. Be present for them and guide their discussions so that at the successful resolution of their task, they will be affirmed by Jesus' words of response to his disciples. '*Why do you trouble this woman*,' he said, '*she has done what is good and fitting in my behalf*.' Amen."

With unanimous consent, the President grants a leave of absence for tonight to Senator Hartsell to attend a county commissioners' meeting; to Senator Hobbs; to Senator Jordan; and to Senator Smith for doctor appointments.

Senator Basnight, President *Pro Tempore*, announces the Journal of Friday, July 19, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

ENROLLED BILLS

The Enrolling Clerk reports the following bills properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

H.B. 17, an act to correct, set out, and clarify the boundaries of the Town of Danbury and to validate actions of the Town. (Ch. 7)

H.B. 34, an act to add certain described property to the corporate limits of the Town of Spruce Pine, and to exempt the property from the ceiling on satellite annexations by the Town. (Ch. 8)

REPORT OF COMMITTEE

A bill is reported from a standing committee, read by its title, together with the report accompanying it, and takes its place on the Calendar, as follows:

By Senator Sherron for the **Finance Committee**:

S.B. 26, a bill to make changes in the Administrative Procedure Act, to make changes in various laws granting the power to adopt rules, to clarify the reporting date of the Joint Legislative Administrative Procedures Oversight Committee, and to clarify the requirements concerning certain removals of underground storage tanks, with a favorable report.

With unanimous consent, on motion of Senator Sherron, the rules are suspended to the end the bill remains before the Senate for immediate consideration upon its passage.

Senator Cochrane rises to a point of order under Rule 40.1 as to the eligibility of the bill for consideration. The Chair defers ruling on the point of order.

Without objection, on motion of Senator Sherron, consideration of the bill is postponed until tomorrow, Tuesday, July 23.

COURTESIES

With unanimous consent, on motion of Senator Basnight, President *Pro Tempore*, privileges of the floor are extended to the Honorable Philip R. Davis, Parliamentary Secretary of Natural Resources from Victoria, Australia. Senator Basnight appoints Senator Carrington of Wake, Senator Soles of Columbus, Senator Rand of Cumberland, Senator McKoy of Wake, Senator Conder of Richmond, and Senator Cochrane of Davie to escort the guest to the Well of the Senate. Mr. Davis is received by the Senate standing, and is presented to the President of the Senate who recognizes him to address the Senate. Mr. Davis offers brief remarks and the President of the Senate presents to him a North Carolina State Flag. The Senate responds with an ovation and the committee escorts the guest from the Chamber with the Senate standing.

PAGES

The President recognizes the following pages serving in the Senate this week:

Sarah Holmes Bass, Charlotte; Cort John Bennett, Fairmont, West Virginia; David Bode, Raleigh; James Cooper, Autryville; Tocarra Ellis, Raleigh; Kimberly Jo Guard, Edenton; Robert G. Hewett, Greensboro; Adrian Lovelace, Rocky Mount; Joel Peyton Maynard, Raleigh; Emmett Perdue, New Bern; Thomas Pipkin, Raleigh; Hattie Plexico, Hendersonville; Kristen Souza, Raleigh; Natalie Clarice Williams, Chadbourn; John G. Wrenn, Providence; and Joshua Keith Yeargin, South Mills.

INTRODUCTION OF A BILL

A bill filed tonight for introduction is presented to the Senate, read the first time, and disposed of, as follows:

By Senators Plexico and Gulley:

S.B. 43, a bill to strengthen the campaign finance laws.

Pursuant to Rule 43, the bill is ordered held in the office of the Principal Clerk pending referral to committee.

ANNOUNCEMENT

H.B. 18 (Senate Committee Substitute)
H.B. 53 (Senate Committee Substitute)

The Chair recognizes Senator Basnight, President *Pro Tempore*, who announces the following Senators shall represent the Senate upon consideration of differences arising between the two Bodies on **H.B. 18** (Committee Substitute), a bill to phase out the State sales tax on food over four years, phase down the corporate income tax over four years, allow income and franchise tax credits for investments in business property and for research and development, phase out the soft drink tax over three years, reduce the sales tax rate on electricity and natural gas used in farming and manufacturing, modify the sales tax treatment of bundled transactions and free items given away by merchants, simplify and reduce inheritance and gift taxes, exempt from income tax severance wages paid due to plant closings, expand the property tax homestead exemption, and allow tax incentives for charitable donations, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 18** (Senate Committee Substitute), a bill to allow income and franchise tax credits for investment in machinery and equipment, creating jobs, increasing research and development, and worker training, to modify the sales tax treatment of bundled transactions, to expand the property tax homestead exemption, and to reduce the franchise tax on certain inventories; and **H.B. 53**, a bill to amend the budget and to appropriate funds for public education and for salary increases for teachers and State employees, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 53** (Senate Committee Substitute), a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, and to make other changes in the budget operation of the State: Senator Plyler, Chair, and Senators Perdue, Odom, Sherron, Kerr, Conder, Rand, Martin of Guilford, Martin of Pitt, Plexico, Winner, Hoyle, Warren, Ballance, Cooper, Gulley, Jordan, and Lucas.

NOTICE

Senator Sherron gives notice under Rule 77 of his intention to introduce an enabling resolution to allow consideration of **S.B. 26**, a bill to make changes in the Administrative Procedure Act, to make changes in various laws granting the power to adopt rules, to clarify the reporting date of the Joint Legislative Administrative Procedures Oversight Committee, and to clarify the requirements concerning certain removals of underground storage tanks, which measure is on the Calendar for tomorrow, Tuesday, July 23.

On motion of Senator Basnight, seconded by Senator Blackmon, the Senate adjourns at 7:50 P.M. to meet tomorrow, Tuesday, July 23, at 10:30 A.M.

ELEVENTH DAY

SENATE CHAMBER
Tuesday, July 23, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Our Heavenly Father, some would say there's no hope!

"No hope? Look at the parade of nations and their athletes at the Olympic Stadium; look at an aging and embattled warrior turned ambassador holding the Olympic Torch as high as his palsied hands will allow; or look down into a child's face and tell us there is no hope.

"May we take these hopeful images of Your Creation into each challenge of this day, O Lord. Amen"

With unanimous consent, the President grants a leave of absence for today to Senator Carrington to attend the International Association for Identification Convention; to Senator Hobbs; to Senator Parnell who is out of the country; and to Senator Smith for doctor appointments.

Senator Soles, Deputy President *Pro Tempore*, announces the Journal of yesterday, Monday, July 22, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

Without objection, the Senate recesses at 10:37 A.M. to reconvene at 1:30 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following special messages are received from the House of Representatives:

H.B. 52
(Senate Committee Substitute)

House of Representatives
July 23, 1996

Mr. President:

It is ordered that a message be sent to your Honorable Body with the information the Speaker has added Representatives Arnold, C. Wilson and Gray as conferees on Senate Committee Substitute for **HB 52**, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES IN THE BUDGET OPERATION OF THE STATE AND TO STRENGTHEN THE JUVENILE JUSTICE SYSTEM.

Respectfully,
S/Denise Weeks
Principal Clerk

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

H.B. 53
(Senate Committee Substitute)

House of Representatives
July 23, 1996

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House failed to concur in Senate Committee Substitute for **HB 53**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, the Speaker has appointed as conferees on the part of the House, Representatives Holmes, Esposito, and Creech, Co–Chairs; Daughtry, Russell, Bowie, Grady, Preston, Weatherly, Mitchell, Thompson, Justus, Gardner, Lemmond, Ives, Nye, Crawford, Cummings, Kiser, Morgan, Arnold, C. Wilson, and Gray to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
S/Denise Weeks
Principal Clerk

With unanimous consent, the President grants a leaves of absence for the remainder of today's Session to Senator Horton.

With unanimous consent, Senator Basnight, President *Pro Tempore*, appoints Senator Plyler, Chairman, and Senators Perdue, Odom, Sherron, Kerr, Conder, Rand, Martin of Guilford, Martin of Pitt, Plexico, Winner, Hoyle, Warren, Ballance, Cooper, Gulley, Jordan, Lucas, Little, and Hartsell as conferees on the part of the Senate to resolve the differences arising between the two Bodies and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

ADDITIONAL APPOINTMENTS

H.B. 52, a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, and to make other changes in the budget operation of the State, which Senate Committee Substitute bill proposes to change the title upon concurrence to read, **H.B. 52** (Senate Committee Substitute), a bill to make changes in the budget operation of the State and to strengthen the Juvenile Justice System, with conferees having been appointed on July 18.

Senator Basnight, President *Pro Tempore*, appoints Senator Little and Senator Hartsell as additional conferees on the part of the Senate to resolve the differences arising between the two Bodies and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

With the bill on today's Calendar remaining, on motion of Senator Basnight, seconded by Senator McDaniel, the Senate adjourns at 1:44 P.M. to meet tomorrow, Wednesday, July 24, at 10:30 A.M.

TWELFTH DAY

SENATE CHAMBER
Wednesday, July 24, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Being Your children, O God, in no way assures us of living without major obstacles.

"The richness of our human experience as it intersects with Your Divine Presence would lose something of rewarding joy if there were no limitations to overcome. The hilltop hour would not be half so wonderful if there were no valleys to traverse.

"In advance, we thank You for being with us in the valleys and on the hilltops during this day. For Your Sake, Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Carrington to attend the International Association for Identification Convention; to Senator Gulley; to Senator Horton; to Senator Parnell who is out of the country; and to Senator Soles to attend the Gamble funeral.

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Tuesday, July 23, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The President of the Senate introduces his sons, Jackson and Quinn, whom he designates his Honorary Pages for the day.

INTRODUCTION OF A RESOLUTION

A resolution filed for introduction is presented to the Senate, read the first time, and disposed of, as follows:

By Senator Sherron:

S.R. 44, a Senate resolution to amend the Senate Rules to enable the Senate to consider certain administrative law matters in the Second 1996 Extra Session.

On motion of Senator Sherron, the Senate simple resolution is placed before the Senate for immediate consideration upon adoption.

On motion of Senator Sherron, the Senate simple resolution is adopted (44–1).

The text of this resolution appears as follows:

S.R. 44, A SENATE RESOLUTION TO AMEND THE SENATE RULES TO ENABLE THE SENATE TO CONSIDER CERTAIN ADMINISTRATIVE LAW MATTERS IN THE SECOND 1996 EXTRA SESSION.

Be it resolved by the Senate:

Section 1. Rule 40.1 of the permanent rules of the Senate for the Second Extra Session 1996 of the General Assembly reads as rewritten:

"Rule 40.1. Limitation on resolutions and bills.

The only resolutions that may be introduced or considered in the Senate are resolutions amending the Senate rules or adjourning the Extra Session *sine die.* All bills shall be excluded from introduction or consideration in the Senate, other than any of the following:

(1) The Current Operations Appropriations Act of 1996, a bill making general revisions in the State budget for fiscal year 1996–97.

(2) A bill to reform the existing provisions in the State's tax laws that violate the interstate commerce clause of the United States Constitution.

(3) Tax legislation as follows:

a. Reduce the corporate income tax rate.
b. Reduce the soft drink tax rate.
c. Reduce the rate of sales and use tax that applies to food.
d. Provide income tax credits and refunds to federal retirees for income taxes paid on their retirement benefits for tax years 1985 through 1988.
e. Allow income and franchise tax credits that give businesses an incentive to locate, expand, or invest in this State, and make related changes to the Industrial Development Fund and Community Development Block Grants.
f. Repeal privilege license taxes.
g. Clarify sales and use tax treatment of free items and bundled transactions.
h. Reduce the rate of sales and use tax that applies to gas and electricity used in farming and industry.
i. Allow tax incentives for charitable giving.
j. Reduce and simplify inheritance and gift taxes.
k. Expand the property tax homestead exemption.
l. Extend the State Ports Tax Credit to forest products.

(4) Local bills that passed one house during 1996, were placed on the calender for second reading or passed second reading in the second house, and were required to be read on separate days under Article II, Section 23 of the Constitution of North Carolina.

(5) Legislation required to be considered and enacted before 1997 pursuant to a court order, and legislation affecting pending litigation.

(6) Bills making appointments to office by the General Assembly.

(7) Bills authorizing legislative study commissions.

(8) A bill that addresses the administrative law issues considered in 1996 in Senate Bill 1324 (Resolve APA Problems)."

Sec. 2. This resolution is effective upon adoption.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 18 House of Representatives
(Senate Committee Substitute) July 23, 1996

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House failed to concur in Senate Committee Substitute for **HB 18,** A

BILL TO BE ENTITLED AN ACT TO ALLOW INCOME AND FRANCHISE TAX CREDITS FOR INVESTMENT IN MACHINERY AND EQUIPMENT, CREATING JOBS, INCREASING RESEARCH AND DEVELOPMENT, AND WORKER TRAINING, TO MODIFY THE SALES TAX TREATMENT OF BUNDLED TRANSACTIONS, TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION, AND TO REDUCE THE FRANCHISE TAX ON CERTAIN INVENTORIES, the Speaker has appointed as conferees on the part of the House, Representatives Gray, Arnold, C. Wilson, Co–chairs; Berry, Cansler, McMahan, Hill, Cunningham, Capps and Morgan to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Upon a point of order being raised by Representative Luebke regarding Section IV, Modify Franchise Tax, the Speaker ruled the section ineligible for consideration by the House conferees.

Respectfully,
S/Denise Weeks
Principal Clerk

Senator Basnight, President *Pro Tempore*, offers a motion that the Senate do appoint conferees, which motion prevails.

The President *Pro Tempore* appoints Senators Kerr and Sherron, Co–Chairmen, and Senators Conder, Soles, Hoyle, Albertson, Dannelly, Rand, Hartsell, Carrington, and Shaw as conferees on the part of the Senate to resolve the differences arising between the two Bodies and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

CALENDAR

A bill on the Calendar carried forward as unfinished business from Tuesday, July 23, is taken up and disposed of, as follows:

S.B. 26, a bill to make changes in the Administrative Procedure Act, to make changes in various laws granting the power to adopt rules, to clarify the reporting date of the Joint Legislative Administrative Procedures Oversight Committee, and to clarify the requirements concerning certain removals of underground storage tanks, with a ruling upon a point of order deferred by the Chair.

The President of the Senate rules the bill eligible for consideration by the Senate pursuant to the provisions of **S.R. 44**, a Senate simple resolution to amend the Senate Rules to enable the Senate to consider certain administrative law matters in the Second 1996 Extra Session, adopted earlier today.

The bill passes its second (43–0) and third readings and is ordered sent to the House of Representatives.

On motion of Senator Basnight, seconded by Senator Rand, the Senate adjourns at 11:06 A.M. to meet tomorrow, Thursday, July 25, at 1:00 P.M.

THIRTEENTH DAY

SENATE CHAMBER
Thursday, July 25, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Jacob cheated Esau, O God. Joseph's brothers sold him for twenty shekels. The prodigal's elder brother couldn't stand being in the same room with him. As the Bible presents it, one of the closest of all relationships, brotherhood and sisterhood, can also be one of the most contentious.

"We're like that! Afraid someone is loved more, favored more, given and forgiven more, gets away with more. Somehow signals are crossed, opportunities are missed, messages are unheard or unheeded.

"We can't help thinking what friends we might have been with some people if they hadn't been our enemies.

"We all have pretty much the same fears and hopes. In this life, we come from the same place and are headed in the same direction. We are all brothers and sisters.

"Yet from the way we manage things sometimes, who would ever guess it. Who among us can remain unmoved by the thought of how the world might be if only we managed things under the guidance of Your Eternal Love, Our Father. In Whose Name we pray, Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Hobbs; to Senator McKoy due to an out of town commitment; and to Senator Parnell who is out of the country.

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Wednesday, July 24, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

COURTESIES

With unanimous consent, on motion of Senator Rand, privileges of the floor are extended to the Honorable Riita Uosukainen, Speaker of the Parliament of Finland. The President recognizes Senator Basnight, President *Pro Tempore*, who appoints Senator McDaniel of Forsyth, Senator Plyler of Union, Senator Cochrane of Davie, Senator Edwards of Cumberland, Senator Rand of Cumberland, and Senator Perdue of Craven to escort the guest to the Well of the Senate. The Senate receives Speaker Uosukainen standing.

Senator Rand presents Speaker Uosukainen to the President of the Senate who recognizes her to address the Senate. She offers brief remarks comparing the American and Finnish forms of government. (*See Appendix*) Upon the conclusion of her remarks the President recognizes Senator Warren who thanks the Speaker for the contributions of her fellow countryman, Dr. Pekka Puska, to the Heart Disease and Stroke Prevention Task Force. The Senate responds with a standing ovation.

The President thanks Speaker Uosukainen for her remarks and presents her with a North Carolina Flag and a copy of the Senate Rules. The President recognizes the committee who escorts the Honorable Riita Uosukainen from the Chamber with Members standing.

BILL FILED FOR INTRODUCTION

The Chair recognizes Senator McDaniel who offers a motion that following the first reading of **S.B. 45**, filed for introduction earlier today that the rules be suspended to the end the bill remain before the Senate for immediate consideration upon its passage. The Chair entertains the motion and calls for the introduction of bills, petitions, and resolutions.

INTRODUCTION OF A BILL

A bill filed for introduction is presented to the Senate, read the first time, and disposed of, as follows:

By Senator McDaniel:

S.B. 45, a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995.

The motion of Senator McDaniel that the rules be suspended to the end the bill be placed before the Senate for immediate consideration upon its passage fails to prevail (21–24).

Senator Rand, Chairman of the **Rules and Operation of the Senate Committee**, pursuant to Rule 43, announces referral of the bill to the **Appropriations Committee**.

CONFERENCE COMMITTEE CONSIDERATION

H.B. 53, a bill to amend the budget and to appropriate funds for public education and for salary increases for teachers and State employees, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 53** (Senate Committee Substitute), a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, and to make other changes in the budget operation of the State, with conferees appointed on Tuesday, July 23.

Senator Ballantine rises and offers a motion to the end that Rule 57 be suspended to allow the Conference Committee to consider the lead paint certification issue contained in neither version of the measure in conference.

With no report from the Conference Committee before the Senate, the Chair rules the motion out of order. The Chair states, upon the submission of a conference report, a point of order would stand to the provisions of Rule 57 which read, as follows:

> ...In considering matters in difference between the Senate and House committed to the conferees, only such matters as are in difference between the two houses shall be considered by the conferees, and the conference report shall deal only with such matters. ...

On motion of Senator Basnight, seconded by Senator Plyler, the Senate adjourns at 1:55 P.M. to meet tomorrow, Friday, July 26, at 10:00 A.M.

FOURTEENTH DAY

SENATE CHAMBER
Friday, July 26, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by Mr. Jonathan Lotz from Raleigh.

With unanimous consent, the President grants leaves of absence for today to Senator Blackmon to attend a business meeting; to Senator Cooper; to Senator East for business; to Senator Edwards; to Senator Forrester to cover medical practice; to Senator Foxx to attend the National Conference of State Legislatures; to Senator Hobbs; to Senator Hoyle; to Senator McDaniel for business; to Senator Parnell who is out of the country; to Senator Shaw for a doctor's appointment; and to Senator Soles.

Senator Rand, Chairman of the **Rules and Operation of the Senate Committee** announces the Journal of yesterday, Thursday, July 25, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The Chair extends courtesies of the Chamber to Representative Laura Boyd, a member of the Oklahoma House of Representatives and the daughter of Martha Jordan, a legislative employee.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A special message received in the office of the Principal Clerk from the House of Representatives transmitting a bill is presented to the Senate, read the first time, and disposed of, as follows:

H.B. 30, a bill to provide federal retirees a refundable tax credit, without interest, for State income tax paid on their retirement benefits for tax years 1985 through 1988.
Referred to **Finance Committee**.

The Senate recesses at 10:14 A.M. to reconvene at 11:00 A.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

With unanimous consent, the President grants a leave of absence for the remainder of today's Session to Senator Carrington.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A special message is received from the House of Representatives transmitting a bill for concurrence which is presented to the Senate, read, and disposed of, as follows:

S.B. 6, a bill to provide tax reform and tax relief for the citizens of North Carolina by repealing the unconstitutional corporate tax credit for North Carolina wine, repealing the unconstitutional corporate tax deduction for North Carolina dividends, repealing the unconstitutional individual income tax credit for North Carolina dividends, revising the unconstitutional tax credit for qualified business investments, clarifying the tax treatment of refunds of unconstitutional taxes, clarifying the sales and use tax treatment of items given away by merchants, providing the Secretary of Revenue authority to improve use tax collection, exempting from sales and use tax inventory that is donated by a merchant to a charitable nonprofit organization, and repealing most State privilege license taxes, for concurrence in House Amendments No. 1 and No. 3.

With unanimous consent, on motion of Senator Rand, the bill, with House Amendments No. 1 and No. 3, is ordered returned to the House of Representatives for further consideration by that Body.

NOTICE OF INTENTION TO SUSPEND RULE 47

H.B. 79, a bill to authorize funds to be allocated from the Savings Reserve Account for disaster relief, referred to the **Appropriations Committee** on July 18.

Senator Allran rises and gives notice, pursuant to Rule 47, of his intention to offer a motion to temporarily suspend Rule 47 to the end the bill may be recalled from the **Appropriations Committee** to the floor of the Senate for consideration upon its passage.

The Senate recesses at 11:56 A.M. to reconvene at 1:30 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

*Upon the appearance of Senator Cooper in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is with*drawn.

INTRODUCTION OF A BILL

A bill filed today for introduction is presented to the Senate, read the first time, and disposed of, as follows:

By Senator Rand:

S.B. 46, a bill to authorize studies by the Legislative Research Commission, to create and continue various commissions, and to direct State agencies and Legislative Oversight committees and commissions to study specified issues.

Referred to **Rules and Operation of the Senate Committee**.

The Senate recesses at 1:46 P.M. to reconvene at 3:00 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

With unanimous consent, the President grants a leave of absence for the remainder of today's session to Senator Ledbetter and Senator Carpenter.

COMMITTEE REFERRAL RECALL

S.B. 46, a bill to authorize studies by the Legislative Research Commission, to create and continue various commissions, and to direct State agencies and Legislative Oversight committees and commissions to study specified issues, referred to the **Rules and Operation of the Senate Committee** earlier today.

Pursuant to Rule 47(b), Senator Rand offers a motion the bill be taken from the **Rules and Operation of the Senate Committee** and placed before the Senate for immediate consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Rules and Operation of the Senate Committee** and places it before the Senate for immediate consideration upon its passage.

The bill passes its second (31–0) and third readings and is ordered sent to the House of Representatives.

On motion of Senator Basnight, seconded by Senator Winner, the Senate adjourns at 3:38 P.M. to meet Monday, July 29, at 7:00 P.M.

FIFTEENTH DAY

SENATE CHAMBER
Monday, July 29, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"Faithful and Loving Father, the Senators and staff must surely feel like Your faithful followers who were described this way—

Up and up the stairs of time the faithful climb, no matter what;
one more time, always one more time.

"Give each person here the perseverance and freshness of spirit that only You can provide for the final days of this Session. In Your Name we pray, Amen."

With unanimous consent, the President grants a leave of absence for tonight to Senator Forrester to cover medical practice; to Senator Foxx to attend the National Conference of State Legislatures; to Senator Hobbs; to Senator Parnell who is out of the country; and to Senator Sherron to attend the National Conference of State Legislatures.

Senator Basnight, President *Pro Tempore*, announces the Journal of Friday, July 26, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

AWARD ACKNOWLEDGEMENT

Senator Simpson rises to a point of personal privilege and informs the Senate the Joseph Monfort Medal for "distinguished Masonic service or achievement," the highest honor bestowed by the Grand Lodge of the North Carolina Ancient, Free and Accepted Masons, has been awarded Senator Robert L. Martin of Pitt County.

The Senate acknowledges Senator Martin of Pitt with aprolonged, warm standing ovation.

INTRODUCTION OF RESOLUTION

A resolution filed today is presented to the Senate:

Senator Odom offers a motion to the end Rule 40.1 be suspended to allow the introduction of the following joint resolution, which motion prevails by a two–thirds affirmative majority vote.

By Senator Odom:

S.J.R. 47, a joint resolution authorizing the 1995 General Assembly, 1996 Second Extra Session, to consider a bill to be entitled an act to increase the criminal penalties for certain criminal offenses committed with bombs or other explosives.

Senator Odom offers a motion the rules be suspended to the end the joint resolution be placed before the Senate for immediate consideration upon its passage, which motion prevails.

The joint resolution passes its second (44–0) and third readings and is ordered sent to the House of Representatives.

NOTICE OF INTENTION TO SUSPEND RULE 47

S.B. 45, a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, referred to the **Appropriations Committee** on July 25.

Senator McDaniel rises and gives notice, pursuant to Rule 47, of his intention to offer a motion to temporarily suspend Rule 47 to the end the bill may be recalled from the **Appropriations Committee** to the floor of the Senate for consideration upon its passage.

COMMITTEE REFERRAL RECALL

H.B. 79, a bill to authorize funds to be allocated from the Savings Reserve Account for disaster relief referred to the **Appropriations Committee** on July 18.

Pursuant to notice given on July 26, Senator Allran offers a motion Rule 47 be temporarily suspended to the end he may offer a motion to recall the bill from the **Appropriations Committee.**

Senator Jordan rises to a point of order under Rule 47 as to the eligibility of Senator Allran, who is not the introducer of the bill, to offer such motion.

The Chair sustains the point of order ruling only the introducer of a bill eligible to offer this motion and a House bill ineligible for recall except by the Chairman of a committee to which it is referred.

PAGES

The President recognizes the following pages serving in the Senate this week:

Barbara Blackmon, Lillington; Ashley Carrier, Raleigh; Femi David–Yerumo, Jr., Durham; Eron Earley–Thiele, Greenville; Tocarra Ellis, Raleigh; Wesley Faulk, Monroe; Clint Ellison Fuller, Fair Bluff; Gregory Franklin Givens, Cary; Dwight Sojournier Hawkins, Raleigh; Michelle Jones, Smithfield; Molly Martin King, Raleigh; Robert Michael Dane Onorio, Newport; Kyle Trevor Phillips, Hurdle Mills; Thomas Pipkin, Raleigh; Jennalee Russell, Clayton; Daniel Wang, Cary; Brian O'Neil Williams, Monroe; and Joshua Keith Yeargin, South Mills.

On motion of Senator Basnight, seconded by Senator Allran, the Senate adjourns at 8:01 P.M. to reconvene Tuesday, July 30, at 10:30 A.M.

SIXTEENTH DAY

SENATE CHAMBER
Tuesday, July 30, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"O Lord, those who are preoccupied with waiting around for the last judgment are going to be surprised to learn that it has taken place every day!

"You are never weary, O Lord, of doing us good. Never let us be weary of doing the work You have called us to do in this world. For Your Sake, Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Forrester to cover medical practice; to Senator Foxx to attend the National Conference of State Legislatures; to Senator Hobbs for business; to Senator Parnell who is out of the country; and to Senator Sherron to attend the National Conference of State Legislatures.

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Monday, July 29, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

COMMITTEE REFERRAL RECALL

S.B. 45, a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, referred to the **Appropriations Committee** on July 25.

Pursuant to notice given in the Senate yesterday, July 29, Senator McDaniel offers a motion to the end Rule 47 be temporarily suspended to allow a motion the bill be recalled from the **Appropriations Committee** and placed before the Senate for consideration upon its passage. Failing to receive a three–fifths affirmative majority vote, the motion fails to prevail (18–23).

Upon motion of Senator Speed, the Chair extends courtesies of the gallery to a group of students from the Chernobyl area of Russia who are visiting in the Town of Clayton for medical treatment and exposure to a cleaner environment.

PERSONAL PRIVILEGE

Senator Speed rises to a point of personal privilege at the invitation of the Senate, and with unanimous consent, on motion of Senator Basnight, his remarks are spread upon the Journal, as follows:

By Senator Speed:

"I will attempt to tell a story that I had told to a few of the Members here. I don't like to tell stories to the same group twice, but by request I will do so.

"Actually, it came about by several asking me just how I injured my hip so badly. And I thought about that originally I had injured my hip about sixty years ago—sixty–five years ago; and several times since. One time I had slipped down the icy steps and hurt it and on several other occasions. So I told them, actually, it was an old injury.

"But the injury of sixty–five years ago was from a mule. And I don't like to say anything bad about a mule because, you know, it's the Democratic Party standard bearer, and the mule has actually contributed more to the welfare of our Country, to the development of this Country than any animal that God has ever created. They built the railroads and the roads; pulled the covered wagons in the west with our forefathers; and they cleared the land; cultivated the fields; and they have contributed much to our well–being.

"But this particular mule was a very intelligent mule, unusually intelligent, and she was rather political. The mule back—this was back in the period of 1928 to 1932. Now, can't many in this Body remember that time, so I'm going into it in a little bit more detail to tell you it was a terrible time. Some classify it as a "Great Depression"; but it was not a great depression, it was a terrible depression. (Laughter) The—honest to goodness, you know back in those days all of the roads were not paved. We only had one paved road running through one section of our county and that was a crooked, two–lane U.S. No. 1 Highway. The highway of 401 that leads from here to Louisburg was not paved and I had traveled it, of course, a number of times before it was. None of the rural roads were paved. But during this depression the stock market broke, the banks went belly up and businesses, and everything was in a serious state of affairs. Nobody in the country had any money. It was—the people in the country only survived by having milk cows and chickens, and an orchard, a few hives of honey bees, and a few things like that. And I don't know how the people in the cities survived.

"But anyway, we had a President during that time by the name of Herbert Hoover. And I don't remember what party he was affiliated with, but (laughter) right off, but it had 'Rep' in paren by his name. But, anyway, during this terrible time, no one—I suspect there were less than two hundred automobiles in Franklin County, and there were similar circumstances all over the State, and perhaps the Nation. And people, the only way they had to travel was walk, and many of them were walking many miles to their destinations. But a lot of the people built home–made carts, two–wheeled carts, some out of buggy wheels, some out of the axles and wheels of T–Model Fords.

"So, it was a real custom back then, there were many of these carts, and they were known as Hoover carts. The Hoover carts—we had Hoover cart parades, and there were just lots of them over the country. So my brother and I went to—took the front end out of my dad's T–Model Ford that had been junked, and carried it to the local blacksmith shop, and built a Hoover cart.

"And we came back and hitched this mule. This mule had worked every kind of plow, wagon, anyway we hitched her. We could hitch her to a tobacco slide and she would take the tobacco from the field without a driver; and after it was unloaded take the slide back to the field without a driver; very intelligent. But anyway that mule rebelled in pulling a Hoover cart. She absolutely rebelled!

"So, now this is the rest of the story. My brother and myself hitched her up, and the mule didn't take but a few steps before she ran away. I mean, she took off, threw us off, broke up the cart and the harness, and so forth; went on to the feed lot; broke my brother's arm; didn't hurt me very much. But I decided that I could overcome that situation, so I had the Hoover cart repaired again. And had a neighborhood boy to help me since my brother's arm was broken. And we had two neighborhood boys, one held the mule by the bridle and the other one and myself got in, in the Hoover cart. And it so happened that the Hoover cart had a slow leak in one of the tires. And I had taken an automobile pump—some of you don't know what that is. It's a little iron barreled instrument about this long with a tube on it about two feet long that we'd pump up automobile tires. So that pump had been sitting—the Hoover cart had been sitting out in the hot sun, and that pump with a steel barrel was so hot you could hardly put your hand on it. But that little ol' neighborhood boy—I had the line real tight, and I was convinced that I could hold that mule. But, that neighborhood boy—the mule had started off on a little trot, and I had, I was holding tightly to the reins, and that boy picked up that pump, and shoved a—a stroke of hot air under that mule's tail. (Laughter) And I'm telling you that mule went crazy!! (Laughter) She was jumping as far from here to the podium! (Laughter) I'm not kidding, I've never seen a mule jump so!! (Laughter) That was a treatment that she couldn't quite stand. Anyway, the wheels, every time she jumped, the wheels were clearing the ground, clearing the ground! And she ran about far as from here to the Capitol. And she was smart enough to know how to end the, the affair. So, uh, she, she pulled right by a tree and one wheel hit that tree. The cart went in one direction, the mule in another, and I fell, I'm sure, thirty feet. That was the beginning of this injury, right here, right here (indicating).

"And after, after I had—took a good while to recover, but I made, made that statement to my dad that when I did recover that I was going to beat the devil out of that mule!! And he said, 'No you're not, son. That's a Democratic mule, and she's got more sense than you have.' (Laughter) So that was the end of that

story, and I didn't ever whip her.

"But, Senator Basnight, I did whip a bull one time, and I'll (laughter) tell, I whipped an eighteen hundred pound mean bull, and I'll tell you about that some time." (Laughter and applause)

On motion of Senator Basnight, seconded by Senator Speed, the Senate adjourns at 11:20 A.M. to meet tomorrow, Wednesday, July 31, at 10:30 A.M.

SEVENTEENTH DAY

SENATE CHAMBER
Wednesday, July 31, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, as follows:

"O Lord, we pray believing everything we do and say, ultimately depends on You—but now let us work as if everything we do and say depends on us.

"The partnership forged by such a mind set will help each of us make it through this day with accomplishment and grace. For Your Sake, Amen."

With unanimous consent, the President grants leaves of absence for today to Senator Edwards; to Senator Forrester to cover medical practice; to Senator Parnell who is out of the country; to Senator Sherron to attend the National Conference of State Legislatures; and to Senator Winner.

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Tuesday, July 30, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

With unanimous consent, on motion of Senator Basnight, the remarks of Senator Simpson offered July 29 acknowledging the Masonic Award presented Senator Martin of Pitt and the remarks of Senator Martin of Pitt are spread upon the Journal, as follows:

By Senator Simpson:

"Mr. President and ladies and gentlemen of the Senate, when I got home to the office on Thursday—I know I was one of the few that was home on Thursday—but I had in the mail a North Carolina Mason, which is a magazine published by the Grand Lodge of Ancient, Free and Accepted Masons, and when I opened it up, I saw that one Member of this Body has received the Montfort Medal which is the highest award presented by North Carolina Masonry; and it was presented to

Senator Bob Martin. And the passage that was given to explain his receipt of The North Carolina Mason's Distinguished Service Achievement Award spoke of his being a State Senator from Martin County and of his being an alumnus of the Masonic Home for Children. And that his positive voice for Free Masonry in the State of North Carolina and in the State Legislature has been an ongoing example of a Masonic upbringing. We all know him, of course, not as a Mason—most of you might not—but we do know him as a man who stands for the Masonic principles that are espoused by Ancient, Free and Accepted Masons throughout this State. And I think Senator Martin deserves a big hand for his accomplishment."

By Senator Martin of Pitt:

"Ladies and gentlemen of the Senate, nothing that I have done is extraordinary. First and foremost due to what the fraternity did for me when I could not do for myself, I just tried to repay them in a small way for having done that for me. And for Dan, for Senator Simpson to bring this to your attention is quite an honor Dan, I'll have to say you're the best lawyer in the Body. (Laughter) And I want to thank you from the bottom of my heart, being another true member of the fraternity and I appreciate that.

"But it's been a great trip. I don't—I didn't know—I thought most of you knew that I did spend eight years at Oxford Orphanage. And you hear a lot about orphanages being at the bottom end of the totem pole, and that's the last thing you can think of for a child. But there happens to be one institution fifty miles from here that is no longer doing what it used to do, but it was run by the Masonic Fraternity. Seemingly, that leadership of that institution could just see beyond the horizon, and they could see things were going to come to pass and they prepared us accordingly. For instance, I left Oxford Orphanage in the middle of the depression. I could have gotten a job in three vocations. I chose one that I loved best, that of a telegraph operator, and later supervisor with the Seaboard Coastline Railroad for many years. And we hear a lot today about crime on the streets and people loafing on the streets, but I found from my experience there that our having thousands of children graduating from Oxford Orphanage, there has never been a record of any one of those thousands of children being charged with a felony much less convicted of one for a total of one hundred and twenty–five years. One got so good at printing—after one hundred and twenty–five years—he tried to make some counterfeit money, and he did get caught. But that is beside the point. The point is—the point is that I am thoroughly convinced you teach a child a vocation, teach him academically, give him a good education, put him on the street, he'll go to work. He won't wind up in prison. Thank you." (Applause)

INTRODUCTION OF BILLS

Bills filed for introduction are presented to the Senate, read the first time, and disposed of, as follows:

By Senator Ballantine:

S.B. 48, a bill to authorize funds to be allocated from the Savings Reserve Account for disaster relief.

Senator Ballantine offers a motion the rules be suspended to the end the bill remain before the Senate for immediate consideration upon its passage which motion fails to prevail (22–21) for lack of a two–thirds affirmative majority vote.

Pursuant to Rule 43, Senator Rand, Chairman of the **Rules and Operation of the Senate Committee**, announces referral to the **Appropriations Committee.**

By Senators Plyler, Perdue, and Odom:

S.B. 49, a bill to temporarily continue personnel positions for which funding is no longer available after July 31, 1996.

Senator Plyler offers a motion the rules be suspended to the end the bill remain before the Senate for immediate consideration, upon its passage, which motion he subsequently withdraws.

Pursuant to Rule 43, Senator Rand, Chairman of the **Rules and Operation of the Senate Committee**, announces referral to the **Appropriations Committee.**

The Senate recesses at 11:05 A.M. to reconvene at 11:40 A.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

With no business placed before the Senate, the Senate recesses at 11:49 A.M. to reconvene at 12:30 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

With no business placed before the Senate, the Senate recesses at 12:35 P.M. for the purpose of a meeting of the **Appropriations Committee** to reconvene at 4:00 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Upon the appearance of Senator Sherron in the Chamber, the Chair acknowledges his presence and the leave of absence granted previously is withdrawn.

COMMITTEE REFERRAL RECALL

S.B. 41, a bill to provide for nonpartisan election of superior court judges in their districts, referred to the **Appropriations Committee** on July 15.

Pursuant to Rule 47(b), Senator Plyler offers a motion the bill be taken from the **Appropriations Committee** and re–referred to the **Rules and Operation of the Senate Committee**, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the **Appropriations Committee** and refers the measure to the **Rules and Operation of the Senate Committee.**

CONFERENCE REPORT

H.B. 18 (Senate Committee Substitute)

Senator Kerr, for the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 18** (Committee Substitute), a bill to phase out the State sales tax on food over four years, phase down the corporate income tax over four years, allow income and franchise tax credits for investments in business property and for research and development, phase out the soft drink tax over three years, reduce the sales tax rate on electricity and natural gas used in farming and manufacturing, modify the sales tax treatment of bundled transactions and free items given away by merchants, simplify and reduce inheritance and gift taxes, exempt from income tax severance wages paid due to plant closings, expand the property tax homestead exemption, and allow tax incentives for charitable donations, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 18** (Senate Committee Substitute), a bill to allow income and franchise tax credits for investment in machinery and equipment, creating jobs, increasing research and development, and worker training, to modify the sales tax treatment of bundled transactions, to expand the property tax homestead exemption, and to reduce the franchise tax on certain inventories, submits for adoption the following report, which further proposes to change the title, upon adoption to read **H.B. 18** (Senate Committee Substitute), a bill to reduce taxes for the citizens of North Carolina and to provide incentives for high quality jobs and business expansion in North Carolina:

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 18, A BILL TO BE ENTITLED AN ACT TO ALLOW INCOME AND FRANCHISE TAX CREDITS FOR INVESTMENT IN MACHINERY AND EQUIPMENT, CREATING JOBS, INCREASING RESEARCH AND DEVELOPMENT, AND WORKER TRAINING, TO MODIFY THE SALES TAX TREATMENT OF BUNDLED TRANSACTIONS, TO EXPAND THE PROPERTY TAX HOMESTEAD EXEMPTION, AND TO REDUCE THE FRANCHISE TAX ON CERTAIN INVENTORIES, Senate Finance Committee Substitute Adopted 7/17/96, Fifth Edition Engrossed 7/19/96, submit the following report:

The House and Senate agree to the following amendment to the Senate Finance Committee Substitute, Fifth Edition Engrossed 7/19/96, and the House concurs in the Senate Finance Committee Substitute, Fifth Edition Engrossed 7/19/96, as amended:

Delete the entire Senate Finance Committee Substitute, Fifth Edition Engrossed 7/19/96, and substitute the attached Proposed Conference Committee Substitute PCCS5289-LCX.

The conferees recommend that the Senate and the House of Representatives adopt this report.

July 31, 1996

Date conferees approved report: July 31, 1996.

S/John H. Kerr
S/J.K. Sherron, Jr.
S/David W. Hoyle
S/R.C. Soles, Jr.
S/Charles W. Albertson
S/J. Richard Conder
S/Anthony E. Rand
S/Charlie S. Dannelly
S/John H. Carrington
S/Fletcher L. Hartsell, Jr.
Robert G. Shaw

Conferees for the Senate

S/Lyons Gray
S/Gene G. Arnold
Constance K. Wilson
S/Cherie Killian Berry
Lanier M. Cansler
S/W. Edwin McMahan
S/W. Pete Cunningham
S/Dewey L. Hill
S/J.Russell Capps
S/Richard T. Morgan

Conferees for the House of Representatives

The text of the attached proposed Conference Committee Substitute bill 5289, is as follows:

A BILL TO BE ENTITLED

AN ACT TO REDUCE TAXES FOR THE CITIZENS OF NORTH CAROLINA AND TO PROVIDE INCENTIVES FOR HIGH QUALITY JOBS AND BUSINESS EXPANSION IN NORTH CAROLINA.

The General Assembly of North Carolina enacts:

TABLE OF CONTENTS

I. REDUCE SALES TAX ON FOOD
II. REDUCE CORPORATE INCOME TAX
III. QUALITY JOBS AND BUSINESS EXPANSION TAX CREDITS
IV. PHASE OUT SOFT DRINK TAX
V. MODIFY BUNDLED TRANSACTION SALES TAX
VI. REDUCE INHERITANCE AND GIFT TAXES
VII. NONITEMIZER CHARITABLE CONTRIBUTION TAX CREDIT
VIII. EXCLUDE CERTAIN SEVERANCE PAY FROM INCOME TAX
IX. REDUCE SALES TAX ON FARM AND INDUSTRY FUEL
X. EFFECTIVE DATES

Section 1. This act shall be known as the William S. Lee Quality Jobs and Business Expansion Act.

PART I. REDUCE SALES TAX ON FOOD

Sec. 1.1. G.S. 105–164.4(a) is amended by adding a new subdivision to read:

"(5) The rate of three percent (3%) applies to the sales price of food that is not otherwise exempt pursuant to G.S. 105–164.13 but would be exempt pursuant to G.S. 105–164.13 if it were purchased with coupons issued under the Food Stamp Program, 7 U.S.C. § 51."

Sec. 1.2. G.S. 105–465 reads as rewritten:

"**§ 105–465. County election as to adoption of local sales and use tax.**

The board of elections of any county, upon the written request of the board of county ~~commissioners thereof,~~ commissioners, or upon receipt of a petition signed

by qualified voters of the county equal in number to at least fifteen percent (15%) of the total number of votes cast in the county, at the last preceding election for the office of Governor, shall call a special election for the purpose of submitting to the voters of the county the question of whether a one percent (1%) sales and use tax ~~as hereinafter provided~~ will be levied.

The special election shall be held under the same rules ~~and regulations~~ applicable to the election of members of the General Assembly. No new registration of voters shall be required. All qualified voters in the county who are properly registered not later than 21 days (excluding Saturdays and Sundays) prior to the election shall be entitled to vote at ~~said~~ the election. The county board of elections shall give at least 20 days' public notice prior to the closing of the registration books for the special election.

The county board of ~~election~~ elections shall prepare ballots for the special ~~election which shall contain the words,~~ election. The question presented on the ballot shall be 'FOR ~~the~~ one percent (1%) local sales and use tax ~~only on those items presently covered by the four percent (4%) sales and use tax,' and the words,~~ on items subject to State sales and use tax at the general State rate and on food' or 'AGAINST ~~the~~ one percent (1%) local sales and use tax ~~only on those items presently covered by the four percent (4%) sales and use tax,' with appropriate squares so that each voter may designate his vote by his cross (X) mark.~~ on items subject to State sales and use tax at the general State rate and on food'.

The county board of elections shall fix the date of the special ~~election; provided, however,~~ election, except that the special election shall not be held on the date or within 60 days of any biennial election for county officers, ~~nor within 60 days thereof,~~ nor within one year from the date of the last preceding special election under this section."

Sec. 1.3. G.S. 105–467 reads as rewritten:

"**§ 105–467. Scope of sales tax.**

The sales tax ~~which~~ that may be imposed under this Article is limited to a tax at the rate of one percent (1%) ~~of:~~ of the following:

(1) The sales price of ~~those articles of~~ tangible personal property ~~now~~ subject to the general rate of sales tax imposed by the State under G.S. 105–164.4(a)(1) and ~~(4b);~~ (a)(4b).

(2) The gross receipts derived from the lease or rental of tangible personal property when the lease or rental of the property is subject to the general rate of sales tax imposed by the State under G.S. ~~105–164.4(a)(2);~~ 105–164.4(a)(2).

(3) The gross receipts derived from the rental of any room or ~~lodging furnished by any hotel, motel, inn, tourist camp or~~ other ~~similar~~ accommodations ~~now~~ subject to the general rate of sales tax imposed by the State under G.S. ~~105–164.4(a)(3); and~~ 105–164.4(a)(3).

(4) The gross receipts derived from services rendered by laundries, dry cleaners, and other businesses ~~now~~ subject to the general rate of sales tax imposed by the State under G.S. 105–164.4(a)(4).

(5) The sales price of food that is not otherwise exempt from tax pursuant to G.S. 105–164.13 but would be exempt from the State sales and use tax pursuant to G.S. 105–164.13 if it were purchased with coupons issued under the Food Stamp Program, 7 U.S.C. § 51.

The sales tax authorized by this Article does not apply to sales that are taxable by the State under G.S. 105–164.4 but are not specifically included in ~~subdivisions (1) through (4) of~~ this section.

The State exemptions and exclusions contained in G.S. 105–164.13 and the State refund provisions contained in G.S. 105–164.14 ~~shall~~ apply ~~with equal force and in like manner~~ to the local sales and use tax authorized to be levied and imposed under this Article. A taxing county ~~shall have no authority, with respect to the local sales and use tax imposed under this Article to change, alter, add to or delete any refund provisions contained in G.S. 105–164.14, or any exemptions or exclusions contained in G.S. 105–164.13 or which are elsewhere provided for.~~ may not allow an exemption, exclusion, or refund that is not allowed under the State sales and use tax.

The local sales tax authorized to be imposed and levied under ~~the provisions of~~ this Article ~~shall apply to such retail sales, leases, rentals, the rendering of services, furnishing of rooms, lodgings or accommodations and other~~ applies to taxable transactions ~~which are made, furnished or rendered~~ by retailers whose place of business is located within the taxing county. ~~The tax imposed shall apply to the furnishing of rooms, lodging or other accommodations within the county which are rented to transients.~~ For the purpose of this Article, the situs of a transaction is the location of the retailer's place of business."

Sec. 1.4. G.S. 105–468 reads as rewritten:

"**§ 105–468. Scope of use tax.**

The use tax ~~which may be imposed under~~ authorized by this Article ~~shall be~~ is a tax at the rate of one percent (1%) of the cost price of each item or article of tangible personal property ~~when it~~ that is not sold in the taxing county but is used, ~~consumed~~ consumed, or stored for use or consumption in the taxing ~~county, except that no tax shall be imposed upon tangible personal property when the property would be taxed by the State at a rate other than the general rate of tax set in G.S. 105–164.4 if it were taxable under G.S. 105–164.6.~~ county. The tax applies to the same items that are subject to tax under G.S. 105–467.

Every retailer who is engaged in business in this State and in the taxing county and is required to collect the use tax levied by G.S. 105–164.6 shall ~~also~~ collect the one percent (1%) use tax when ~~such~~ the property is to be used, ~~consumed~~ consumed, or stored in the taxing ~~county, one percent (1%) use tax to be collected concurrently with the State's use tax; but no retailer not required to collect the use tax levied by G.S. 105–164.6 shall be required to collect the one percent (1%) use tax.~~ county. The use tax contemplated by this section shall be levied against the purchaser, and the purchaser's liability for the use tax shall be extinguished only upon payment of the use tax to the retailer, where the retailer is required to collect the tax, or to the ~~Secretary of Revenue, or to the taxing county, as appropriate,~~ Secretary, where the retailer is not required to collect the tax.

Where a local sales or use tax has been paid with respect to tangible personal property by the purchaser, either in another taxing county within the State, or in a taxing jurisdiction outside the State where the purpose of the tax is similar in purpose and intent to the tax which may be imposed pursuant to this Article, the tax paid may be credited against the tax imposed under this section by a taxing county upon the same property. If the amount of sales or use tax so paid is less than the amount of the use tax due the taxing county under this section, the purchaser shall pay to the Secretary ~~of Revenue or to the taxing county, as appropriate,~~ an amount equal to the difference between the amount so paid in the

other taxing county or jurisdiction and the amount due in the taxing county. The Secretary ~~of Revenue or the taxing county, as appropriate,~~ may require such proof of payment in another taxing county or jurisdiction as is deemed to be necessary. The use tax levied under this Article is not subject to credit for payment of any State sales or use tax not imposed for the benefit and use of counties and municipalities. No credit shall be given under this section for sales or use taxes paid in a taxing jurisdiction outside this State if that taxing jurisdiction does not grant similar credit for sales taxes paid under this Article."

Sec. 1.5. The first paragraph of Section 4 of Chapter 1096 of the 1967 Session Laws, as amended, is amended as follows:

(1) By deleting the word "and" before subdivision (4).

(2) By changing the period at the end of subdivision (4) to a semicolon and adding the word "and".

(3) By adding a new subdivision to read:

"(5) The sales price of food and other items that are not otherwise exempt from tax pursuant to G.S. 105-164.13 but would be exempt from the State sales and use tax pursuant to G.S. 105-164.13 if purchased with coupons issued under the Food Stamp Program, 7 U.S.C. § 51."

Sec. 1.6. Section 5 of Chapter 1096 of the 1967 Session Laws is amended by deleting the first sentence of that section and substituting the following sentences to read:

"The use tax that Mecklenburg County may impose under this division is a tax at the rate of one percent (1%) of the cost price of each item or article of tangible personal property that is not sold but is used, consumed, or stored for use or consumption in Mecklenburg County. The tax applies to the same items that are subject to tax under Section 4 of this act."

Sec. 1.7. Approval under Article 39, 40, or 42 of Chapter 105 of the General Statutes or under the Mecklenburg County Sales and Use Tax Act, Chapter 1096 of the 1967 Session Laws, as amended, of local sales and use taxes on items subject to State sales and use tax at the general State rate constitutes approval of local sales and use taxes on food.

PART II. REDUCE CORPORATE INCOME TAX

Sec. 2.1. G.S. 105-130.3 reads as rewritten:

"**§ 105-130.3. Corporations.**

A tax is imposed on the State net income of every C Corporation doing business in this ~~State at seven and seventy-five one-hundredths percent (7.75%) of the corporation's State net income.~~ State. An S Corporation is not subject to the tax levied in this section. The tax is a percentage of the taxpayer's State net income computed as follows:

Income Years Beginning	Tax
In 1997	7.5%
In 1998	7.25%
In 1999	7%
After 1999	6.9%".

Sec. 2.2. G.S. 115C-546.1 reads as rewritten:

"**§ 115C-546.1. Creation of Fund; administration.**

(a) There is created the Public School Building Capital Fund. The Fund shall be used to assist county governments in meeting their public school building capital needs.

(b) Each calendar quarter, the Secretary of Revenue shall remit to the State Treasurer for credit to the Public School Building Capital Fund an amount equal to ~~two thirty-firsts (2/31)~~ the applicable fraction provided in the table below of the net collections received during the previous quarter by the Department of Revenue under G.S. 105-130.3 minus two million five hundred thousand dollars ($2,500,000). All funds deposited in the Public School Building Capital Fund shall be invested as provided in G.S. 147-69.2 and G.S. 147-69.3.

Period	Fraction
10/1/97 to 9/30/98	One-fifteenth (1/15)
10/1/98 to 9/30/99	Two twenty-ninths (2/29)
10/1/99 to 9/30/00	One-fourteenth (1/14)
After 9/30/00	Five sixty-ninths (5/69)

(c) The Fund shall be administered by the Office of State Budget and Management."

PART III. QUALITY JOBS AND BUSINESS EXPANSION TAX CREDITS

Sec. 3.1. Chapter 105 of the General Statutes is amended by adding a new Article 3A entitled "Tax Incentives for New and Expanding Businesses."

Sec. 3.2. G.S. 105-130.40 is recodified as G.S. 105-129.8 in Article 3A of Chapter 105 of the General Statutes.

Sec. 3.3. Article 3A of Chapter 105 of the General Statutes, as enacted by this act, reads as rewritten:

"ARTICLE 3A.

"Tax Incentives for New and Expanding Businesses.

"**§ 105-129.2. Definitions.**

The following definitions apply in this Article:

(1) Cost. — Defined in section 179 of the Code.

(2) Data processing. — Defined in the Standard Industrial Classification Manual issued by the United States Bureau of the Census.

(3) Enterprise tier. — The classification assigned to an area pursuant to G.S. 105-129.3.

(4) Full-time job. — A position that requires at least 1,600 hours of work per year and is intended to be held by one employee during the entire year. A full-time employee is an employee who holds a full-time job.

(5) Machinery and equipment. — Engines, machinery, tools, and implements that are capitalized by the taxpayer for tax purposes under the Code and are used or designed to be used in manufacturing or processing, warehousing and distribution, or data processing. The term does not include real property as defined in G.S. 105-273 or rolling stock as defined in G.S. 105-333.

(6) Manufacturing and processing. — Defined in the Standard Industrial Classification Manual issued by the United States Bureau of the Census.

(7) Purchase. — Defined in section 179 of the Code.

(8) Warehousing and distribution. — Defined in the Standard Industrial Classification Manual issued by the United States Bureau of the Census.

"§ 105-129.3. Enterprise tier designation.

(a) Tiers Defined. — An enterprise tier one area is a county whose enterprise factor is one of the 10 highest in the State. An enterprise tier two area is a county whose enterprise factor is one of the next 15 highest in the State. An enterprise tier three area is a county whose enterprise factor is one of the next 25 highest in the State. An enterprise tier four area is a county whose enterprise factor is one of the next 25 highest in the State. An enterprise tier five area is any area that is not in a lower-numbered enterprise tier.

(b) Annual Designation. — Each year, on or before December 31, the Secretary of Commerce shall assign to each county in the State an enterprise factor that is the sum of the following:

(1) The county's rank in a ranking of counties by rate of unemployment from lowest to highest.

(2) The county's rank in a ranking of counties by per capita income from highest to lowest.

(3) The county's rank in a ranking of counties by percentage growth in population from highest to lowest.

The Secretary of Commerce shall then rank all the counties within the State according to their enterprise factor from highest to lowest, identify all the areas of the State by enterprise tier, and provide this information to the Secretary of Revenue. An enterprise tier designation is effective only for the calendar year following the designation.

In measuring rates of unemployment and per capita income, the Secretary shall use the latest available data published by a State or federal agency generally recognized as having expertise concerning the data. In measuring population growth, the Secretary shall use the most recent estimates of population certified by the State Planning Officer.

"§ 105-129.4. Eligibility; forfeiture.

(a) Type of Business. — A taxpayer is eligible for a credit allowed by this Article if the taxpayer engages in manufacturing or processing, warehousing or distributing, or data processing, and the jobs with respect to which a credit is claimed are created in that business, the machinery and equipment with respect to which a credit is claimed are used in that business, and the research and development for which a credit is claimed are carried out as part of that business.

(b) Wage Standard. — A taxpayer is eligible for the credit for creating jobs or the credit for worker training if the jobs for which the credit is claimed meet the wage standard at the time the taxpayer applies for the credit. A taxpayer is eligible for the credit for investing in machinery and equipment or the credit for research and development if the jobs at the location with respect to which the credit is claimed meet the wage standard at the time the taxpayer applies for the credit. Jobs meet the wage standard if they pay an average weekly wage that is at least ten percent (10%) above the average weekly wage paid in the county in which the jobs will be located. In calculating the average weekly wage of jobs, positions that pay a wage or salary at a rate that exceeds one hundred thousand dollars ($100,000) a year shall be excluded. For the purpose of this subsection, the average wage in a county is the average wage for all insured industries in the

county as computed by the Employment Security Commission for the most recent period for which data are available.

(c) Worker Training. — A taxpayer is eligible for the tax credit for worker training only for training workers who occupy jobs for which the taxpayer is eligible to claim an installment of the credit for creating jobs or which are full–time positions at a location with respect to which the taxpayer is eligible to claim an installment of the credit for investing in machinery and equipment for the taxable year.

The credit for worker training is allowed only with respect to employees in positions not classified as exempt under the Fair Labor Standards Act, 29 U.S.C. § 213(a)(1) and for expenditures for training that would be eligible for expenditure or reimbursement under the Department of Community Colleges' New and Expanding Industry Program, as determined by guidelines adopted by the State Board of Community Colleges. To establish eligibility, the taxpayer must obtain as part of the application process under G.S. 105–129.6 the certification of the Department of Community Colleges that the taxpayer's planned worker training would satisfy the requirements of this paragraph. A taxpayer shall apply to the Department of Community Colleges for this certification. The application must be on a form provided by the Department of Community Colleges, must provide a detailed plan of the worker training to be provided, and must contain any information required by the Department of Community Colleges to determine whether the requirements of this paragraph will be satisfied. If the Department of Community Colleges determines that the planned worker training meets the requirements of this paragraph, the Department of Community Colleges shall issue a certificate describing the location with respect to which the credit is claimed and stating that the planned worker training meets the requirements of this paragraph. The State Board of Community Colleges may adopt rules in accordance with Chapter 150B of the General Statutes that are needed to carry out its responsibilities under this paragraph.

(d) Forfeiture. — A taxpayer forfeits a credit allowed under this Article if the taxpayer was not eligible for the credit at the time the taxpayer applied for the credit. A taxpayer that forfeits a credit under this Article is liable for all past taxes avoided as a result of the credit plus interest at the rate established under G.S. 105–241.1(i), computed from the date the taxes would have been due if the credit had not been allowed. The past taxes and interest are due 30 days after the date the credit is forfeited; a taxpayer that fails to pay the past taxes and interest by the due date is subject to the penalties provided in G.S. 105–236. If a taxpayer forfeits the credit for creating jobs or the credit for investing in machinery and equipment, the taxpayer also forfeits any credit for worker training claimed for the jobs for which the credit for creating jobs was claimed or the jobs at the location with respect to which the credit for investing in machinery and equipment was claimed.

(e) Change in Ownership of Business. — The sale, merger, acquisition, or bankruptcy of a business, or any other transaction by which an existing business reformulates itself as another business, does not create new eligibility in a succeeding business with respect to credits for which the predecessor was not eligible under this Article. A successor business may, however, take any installment of or carried–over portion of a credit that its predecessor could have taken if it had a tax liability.

"**§ 105-129.5. Tax election; cap.**

(a) Tax Election. — The credits provided in this Article are allowed against the franchise tax levied in Article 3 of this Chapter and the income taxes levied in Article 4 of this Chapter. The taxpayer shall elect the tax against which a credit will be claimed when filing the application for the credit. This election is binding. Any carryforwards of the credit must be claimed against the same tax elected in the application.

(b) Cap. — The credits allowed under this Article may not exceed fifty percent (50%) of the tax against which they are claimed for the taxable year, reduced by the sum of all other credits allowed against that tax, except tax payments made by or on behalf of the taxpayer. This limitation applies to the cumulative amount of credit, including carryforwards, claimed by the taxpayer under this Article against each tax for the taxable year. Any unused portion of the credit may be carried forward for the succeeding five years.

"**§ 105-129.6. Application; reports.**

(a) Application. — To claim the credits allowed by this Article, the taxpayer must provide with the tax return the certification of the Secretary of Commerce that the taxpayer meets all of the eligibility requirements of G.S. 105-129.4 with respect to each credit. A taxpayer shall apply to the Secretary of Commerce for certification of eligibility. The application must be on a form provided by the Secretary of Commerce, must specify the credit and the tax against which it will be claimed, and must contain any information necessary for the Secretary of Commerce to determine whether the taxpayer meets the eligibility requirements. If the Secretary determines that the taxpayer meets all of the eligibility requirements of G.S. 105-129.4 with respect to a credit, the Secretary shall issue a certificate describing the location with respect to which the credit is claimed, specifying the tax against which the credit will be claimed, outlining the eligibility requirements for the credit, and stating that the taxpayer meets the eligibility requirements. If the Secretary determines that the taxpayer does not meet all of the eligibility requirements of G.S. 105-129.4 with respect to a credit, the Secretary must advise the taxpayer in writing of the eligibility requirements the taxpayer fails to meet. The Secretary of Commerce may adopt rules in accordance with Chapter 150B of the General Statutes that are needed to carry out the Secretary of Commerce's responsibilities under this section.

(b) Reports. — The Department of Commerce shall report to the Department of Revenue and to the Fiscal Research Division of the General Assembly by May 1 of each year the following information for the 12-month period ending the preceding April 1:

(1) The number of applications for each credit allowed in this Article.
(2) The number and enterprise tier area of new jobs with respect to which credits were applied for.
(3) The cost of machinery and equipment with respect to which credits were applied for.

"**§ 105-129.7. Substantiation.**

To claim a credit allowed by this Article, the taxpayer must provide any information required by the Secretary of Revenue. Every taxpayer claiming a credit under this Article shall maintain and make available for inspection by the Secretary of Revenue any records the Secretary considers necessary to determine and verify the amount of the credit to which the taxpayer is entitled. The burden of proving eligibility for the credit and the amount of the credit shall rest upon the taxpayer.

and no credit shall be allowed to a taxpayer that fails to maintain adequate records or to make them available for inspection.

"**§ 105-129.8. Credit for creating ~~jobs in severely distressed county~~ jobs.**

(a) Credit. — A ~~corporation that (i) for at least 40 weeks during the year has at least nine employees and (ii) is located, for part or all of its taxable year, in a severely distressed county~~ taxpayer that meets the eligibility requirements set out in G.S. 105-129.4, has five or more employees for at least 40 weeks during the taxable year, ~~may qualify for a credit against the tax imposed by this Division by creating new full-time jobs with the corporation in the severely distressed county during that year. A corporation~~ and ~~that~~ hires an additional full-time employee during that year to fill a position located in ~~a severely distressed county~~ this State is allowed a credit ~~of two thousand eight hundred dollars ($2,800) for the additional employee.~~ for creating a new full-time job. The amount of the credit for each new full-time job created is set out in the table below and is based on the enterprise tier of the area in which the position is located:

Area Enterprise Tier	Amount of Credit
Tier One	$12,500
Tier Two	4,000
Tier Three	3,000
Tier Four	1,000
Tier Five	500

A position is located in ~~a county~~ an area if ~~(i) at least~~ more than fifty percent (50%) of the employee's duties are performed in the ~~county, or (ii) the employee is a resident of the county.~~ area. The credit may not be taken in the ~~income~~ taxable year in which the additional employee is hired. Instead, the credit shall be taken in equal installments over the four years following the ~~income~~ taxable year in which the additional employee was hired and shall be conditioned on the continued employment by the ~~corporation~~ taxpayer of the number of full-time employees the ~~corporation~~ taxpayer had upon hiring the employee that caused the ~~corporation~~ taxpayer to qualify for the credit. ~~If,~~

If, in one of the four years in which the installment of a credit accrues, the number of the ~~corporation's~~ taxpayer's full-time employees falls below the number of full-time employees the ~~company~~ taxpayer had in the year in which the ~~corporation~~ taxpayer qualified for the ~~credit or the position filled by the employee is moved to another county,~~ credit, the credit expires and the ~~corporation~~ taxpayer may not take any remaining installment of the credit. The ~~corporation~~ taxpayer may, however, take the portion of an installment that accrued in a previous year and was carried forward to the extent permitted under ~~subsection (e) of this section.~~ G.S. 105-129.5.

Jobs transferred from one area in the State to another area in the State shall not be considered new jobs for purposes of this section. If, in one of the four years in which the installment of a credit accrues, the position filled by the employee is moved to an area in a higher- or lower-numbered enterprise tier, the remaining installments of the credit shall be calculated as if the position had been created initially in the area to which it was moved.

~~For the purposes of this section, a full-time job is a position that requires at least 1,600 hours of work per year and is intended to be held by one employee during the entire year. A full-time employee is an employee who holds a full-time job.~~

(b) Repealed by Session Laws 1989, c. 111, s. 1.

~~(b1) Eligibility. — A corporation is eligible for the tax credit allowed by this section only if it obtained a credit under this section for taxable year 1988 or the Department of Commerce determines that it engages in the manufacturing of goods, or that it engages in an industrial activity such as the processing of foods, raw materials, chemicals and process agents, goods in process, or finished products.~~

~~(c) County Designation. — A severely distressed county is a county designated as severely distressed by the Secretary of Commerce. Each year, on or before December 31, the Secretary of Commerce shall designate which counties are considered severely distressed, and shall provide that information to the Secretary of Revenue. A county is considered severely distressed if its distress factor is one of the fifty highest in the State.~~

~~The Secretary shall assign to each county in the State a distress factor that is the sum of the following:~~

~~(1) The county's rank in a ranking of counties by rate of unemployment from lowest to highest.~~

~~(2) The county's rank in a ranking of counties by per capita income from highest to lowest.~~

~~(3) The county's rank in a ranking of counties by percentage growth in population from lowest to highest.~~

~~In measuring rates of unemployment and per capita income, the Secretary shall use the latest available data published by a State or federal agency generally recognized as having expertise concerning the data. In measuring population growth, the Secretary shall use the most recent estimates of population certified by the State Planning Officer. A designation as a severely distressed county is effective only for the calendar year following the designation.~~

(d) Planned Expansion. — A ~~corporation that, during the year in which a county is designated as a severely distressed county,~~ taxpayer that signs a letter of commitment with the Department of Commerce to create at least twenty new full-time jobs in ~~that distressed county~~ a specific area within two years of the date the letter is signed qualifies for the credit in the amount allowed by this section based on the area's enterprise tier for that year even though the employees are not hired that year. The credit shall be available in the ~~income~~ taxable year after at least twenty employees have been hired if ~~such~~ the hirings are within the two-year commitment period. The conditions outlined in subsection (a) apply to a credit taken under this subsection except that if the ~~county is no longer designated a severely distressed county~~ area is redesignated to a higher-numbered enterprise tier after the year the letter of commitment was signed, the credit is ~~still available.~~ allowed based on the area's enterprise tier for the year the letter was signed. If the ~~corporation~~ taxpayer does not hire the employees within the two-year period, the ~~corporation~~ taxpayer does not qualify for the credit. However, if the ~~corporation~~ taxpayer qualifies for a credit under subsection (a) in the year any new employees are hired, ~~it~~ the taxpayer may take the credit under that subsection.

~~(e) Limitations. — The sale, merger, acquisition, or bankruptcy of a business, or any other transaction by which an existing business reformulates itself as another business, does not create new eligibility in a succeeding business with respect to jobs for which the predecessor was not eligible under this section. A successor corporation may, however, take any installment of or carried over portion of a credit that its predecessor could have taken if it had taxable income.~~

~~Jobs transferred from one county in the State to another county in the State shall not be considered new jobs for purposes of this section. A credit taken~~

~~under this section may not exceed fifty percent (50%) of the tax imposed by this Division for the taxable year, reduced by the sum of all other credits allowed under this Division, except tax payments made by or on behalf of the corporation. Any unused portion of the credit may be carried forward for the succeeding five years.~~

~~(f) Substantiation. — Every corporation claiming the credit provided in subsection (a) shall maintain and make available for inspection by the Secretary of Revenue or his agent such records as may be necessary to determine and verify the amount of the credit to which it is entitled. The burden of proving eligibility for the credit and the amount of the credit shall rest upon the corporation, and no credit shall be allowed to a corporation that fails to maintain adequate records or to make them available for inspection.~~

"§ 105-129.9. Credit for investing in machinery and equipment.

(a) Credit. — A taxpayer that has purchased machinery and equipment and places it in service in this State during the taxable year is allowed a credit equal to seven percent (7%) of the excess of the eligible investment amount over the applicable threshold. The credit may not be taken for the taxable year in which the equipment is placed in service but shall be taken in equal installments over the seven years following the taxable year in which the equipment is placed in service.

(b) Eligible Investment Amount. — The eligible investment amount is the lesser of (i) the cost of the machinery and equipment and (ii) the amount by which the cost of all of the taxpayer's machinery and equipment that is in service in this State on the last day of the taxable year exceeds the cost of all of the taxpayer's machinery and equipment that was in service in this State on the last day of the base year. The base year is that year, of the three immediately preceding taxable years, in which the taxpayer had the most machinery and equipment in service in this State.

(c) Threshold. — The applicable threshold is the appropriate amount set out in the following table based on the enterprise tier of the area where the machinery and equipment are placed in service during the taxable year. If the taxpayer places machinery and equipment in service in more than one area during the taxable year, the threshold applies separately to the machinery and equipment placed in service in each area.

Area Enterprise Tier	Threshold
Tier One	$ -0-
Tier Two	100,000
Tier Three	200,000
Tier Four	500,000
Tier Five	1,000,000

(d) Expiration. — If, in one of the seven years in which the installment of a credit accrues, the machinery and equipment with respect to which the credit was claimed are sold or moved out of State, the credit expires and the taxpayer may not take any remaining installment of the credit. The taxpayer may, however, take the portion of an installment that accrued in a previous year and was carried forward to the extent permitted under G.S. 105-129.5.

If, in one of the seven years in which the installment of a credit accrues, the machinery and equipment with respect to which the credit was claimed are moved to an area in a higher-numbered enterprise tier, the remaining installments of the credit are allowed only to the extent they would have been allowed if the

machinery and equipment had been placed in service initially in the area to which they were moved.

"§ 105-129.10. Credit for research and development.

A taxpayer that claims for the taxable year a federal income tax credit under section 41 of the Code for increasing research activities is allowed a credit equal to five percent (5%) of the State's apportioned share of the taxpayer's expenditures for increasing research activities. The State's apportioned share of a taxpayer's expenditures for increasing research activities is the excess of the taxpayer's qualified research expenses for the taxable year over the base amount, as determined under section 41 of the Code, multiplied by a percentage equal to the ratio of the taxpayer's qualified research expenses in this State for the taxable year to the taxpayer's total qualified research expenses for the taxable year. As used in this section, the terms 'qualified research expenses' and 'base amount' have the meaning provided in section 41 of the Code.

"§ 105-129.11. Credit for worker training.

(a) Credit. — A taxpayer that provides worker training for five or more of its eligible employees during the taxable year is allowed a credit equal to fifty percent (50%) of its eligible expenditures for the training. For positions located in an enterprise tier one area, the credit may not exceed one thousand dollars ($1,000) per employee trained during the taxable year. For other positions, the credit may not exceed five hundred dollars ($500.00) per employee trained during the taxable year. A position is located in an area if more than fifty percent (50%) of the employee's duties are performed in the area.

(b) Eligibility. — The eligibility of a taxpayer's expenditures and employees is determined as provided in G.S. 105-129.4."

Sec. 3.4. G.S. 105-151.17 is recodified as G.S. 105-129.8. G.S. 105-129.8, as rewritten by this act, incorporates both G.S. 105-130.40 and G.S. 105-151.17.

Sec. 3.5. G.S. 143B-437A reads as rewritten:

"§ 143B-437A. Industrial Development Fund.

(a) Creation and Purpose of Fund. — There is created in the Department of Commerce the Industrial Development Fund to provide funds to assist the local government units of the most economically ~~depressed~~ distressed counties in the State in creating jobs in ~~qualified~~ certain industries. ~~As used in this section, the term 'qualified industry' means the manufacturing of goods or the processing of foods, raw materials, chemicals and process agents, goods in process, or finished products.~~ The Department of Commerce shall adopt rules providing for the administration of the program. Those rules shall include the ~~following:~~ following provisions, which shall apply to each grant from the fund:

(1) The funds shall be used for (i) installation of or purchases of equipment for ~~qualified industries,~~ manufacturing or processing, (ii) structural repairs, improvements, or renovations of existing buildings to be used for expansion of ~~qualified industries,~~ manufacturing or processing, or (iii) construction of or improvements to new or existing water, sewer, gas, or electrical utility distribution lines or equipment for existing or new or proposed industrial buildings to be used for ~~qualified industrial operations, or (iv) in the case of counties designated as severely distressed counties under G.S. 105-130.40(c) or G.S. 105-151.17(c) or units of local government within those counties, construction of or improvement to new or existing water,~~

~~sewer, gas, or electrical utility distribution lines or equipment to serve new or proposed industrial buildings to be used for qualified industrial operations.~~ manufacturing or processing operations. To be eligible for funding, the water, sewer, gas, or electrical utility lines or facilities shall be located on the site of the building or, if not located on the site, shall be directly related to the operation of the specific ~~qualified industrial~~ manufacturing or processing activity.

(1a) The funds shall be used for projects located in economically distressed counties except that ~~However,~~ the Secretary of Commerce may use up to one hundred thousand dollars ($100,000) to provide emergency economic development assistance in any county ~~which~~ that is documented to be experiencing a major economic dislocation.

(2) The funds shall be used by the city and county governments for projects that will directly result in the creation of new jobs. The funds shall be expended at a rate of ~~two thousand four hundred dollars ($2,400)~~ four thousand dollars ($4,000) per new job created up to a maximum of ~~two hundred fifty thousand dollars ($250,000)~~ four hundred thousand dollars ($400,000) per project.

(3) There shall be no local match requirement if the project is located in an enterprise tier one area as defined in G.S. 105-129.3.

(a1) Definitions. — The following definitions apply in this section:

(1) Economically distressed county. — A county designated as an enterprise tier one, two, or three area pursuant to G.S. 105-129.3.

(2) Major economic dislocation. — The actual or imminent loss of 500 or more manufacturing jobs in the county or of a number of manufacturing jobs equal to at least ten percent (10%) of the existing manufacturing workforce in the county.

(3) Manufacturing and processing. — Defined in the Standard Industrial Classification Manual issued by the United States Bureau of the Census.

~~(b) Each year, on or before December 31, the Secretary of Commerce shall designate the most economically distressed counties in the State; this designation shall remain effective for the following calendar year. The Secretary of Commerce shall determine which counties are the most economically distressed counties in the State based on (i) rate of unemployment, (ii) per capita income, and (iii) relative population and work force growth or lack of growth, as determined by the Secretary of Commerce.~~

(b1) Utility Account. — There is created within the Industrial Development Fund a special account to be known as the Utility Account to provide funds to assist the local government units of enterprise tier one areas, as defined in G.S. 105-129.3, in creating jobs in manufacturing and processing, warehousing and distribution, and data processing, as defined in the Standard Industrial Classification Manual issued by the United States Bureau of the Census. The Department of Commerce shall adopt rules providing for the administration of the program. Except as otherwise provided in this subsection, those rules shall be consistent with the rules adopted with respect to the Industrial Development Fund. The rules shall provide that the funds in the Utility Account may be used only for construction of or improvements to new or existing water, sewer, gas, or electrical utility distribution lines or equipment for existing or new or proposed industrial buildings to be used for industrial operations in manufacturing or processing, warehousing or

distribution, or data processing. To be eligible for funding, the water, sewer, gas, or electrical utility lines or facilities shall be located on the site of the building or, if not located on the site, shall be directly related to the operation of the specific industrial activity. There shall be no maximum funding amount per new job to be created or per project.

(c) Reports. — The Department of Commerce shall report annually to the General Assembly concerning the applications made to the fund and the payments made from the fund and the impact of the payments on job creation in the State. The Department of Commerce shall also report quarterly to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division on the use of the moneys in the fund, including information regarding to whom payments were made, in what amounts, and for what purposes.

~~(d) As used in this section, 'major economic dislocation' means the actual or imminent loss of:~~

~~(1) 500 or more manufacturing jobs in the county; or~~

~~(2) A number of manufacturing jobs which is equal to or more than ten percent (10%) of the existing manufacturing workforce in the county.~~"

Sec. 3.6. Part 2 of Article 10 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"**§ 143B-437D. Economic development block grants.**

The Department of Commerce shall adopt guidelines for the awarding of Community Development Block Grants for economic development that will ensure that no local match is required for grants awarded for projects located in enterprise tier one areas as defined in G.S. 105-129.3 and, to the extent practicable, that priority consideration for grants is given to projects located in enterprise tier one areas as defined in G.S. 105-129.3."

Sec. 3.7. G.S. 105-241.1(e), as amended by Chapter 646 of the 1995 Session Laws, reads as rewritten:

"(e) Statute of Limitations. — There is no statute of limitations and the Secretary may propose an assessment of tax due from a taxpayer at any time if (i) the taxpayer did not file a proper application for a license or did not file a return, (ii) the taxpayer filed a false or fraudulent application or return, or (iii) the taxpayer attempted in any manner to fraudulently evade or defeat the tax.

If a taxpayer files a return reflecting a federal determination as provided in G.S. 105-29, 105-130.20, 105-159, 105-160.8, 105-163.6A, or 105-197.1, the Secretary must propose an assessment of any tax due within one year after the return is filed or within three years of when the original return was filed or due to be filed, whichever is later. If there is a federal determination and the taxpayer does not file the required return, the Secretary must propose an assessment of any tax due within three years after the date the Secretary received the final report of the federal determination. If a taxpayer forfeits a tax credit pursuant to G.S. ~~105-163.014,~~ 105-163.014 or Article 3A of this Chapter, the Secretary must assess any tax due as a result of the forfeiture within three years after the date of the forfeiture. If a taxpayer elects under section 1033(a)(2)(A) of the Code not to recognize gain from involuntary conversion of property into money, the Secretary must assess any tax due as a result of the conversion or election within the applicable period provided under section 1033(a)(2)(C) or section 1033(a)(2)(D) of the Code. If a taxpayer sells at a gain the taxpayer's principal residence, the

Secretary must assess any tax due as a result of the sale within the period provided under section 1034(j) of the Code.

In all other cases, the Secretary must propose an assessment of any tax due from a taxpayer within three years after the date the taxpayer filed an application for a license or a return or the date the application or return was required by law to be filed, whichever is later.

If the Secretary proposes an assessment of tax within the time provided in this section, the final assessment of the tax is timely.

A taxpayer may make a written waiver of any of the limitations of time set out in this subsection, for either a definite or an indefinite time. If the Secretary accepts the taxpayer's waiver, the Secretary may propose an assessment at any time within the time extended by the waiver."

Sec. 3.8. G.S. 153A-376(f) reads as rewritten:

"(f) All program income from Economic Development Grants from the Small Cities Community Development Block Grant Program may be retained by recipient ~~'severely~~ 'economically distressed counties', as ~~designated under G.S. 105-130.40(c),~~ defined in G.S. 143B-437A for the purposes of creating local economic development revolving loan funds. Such program income derived through the use by counties of Small Cities Community Development Block Grant money includes but is not limited to: (i) payment of principal and interest on loans made by the county using Community Development Block Grant Funds; (ii) proceeds from the lease or disposition of real property acquired with Community Development Block Grant Funds; and (iii) any late fees associated with loan or lease payments in (i) and (ii) above. The local economic development revolving loan fund set up by the county shall fund only those activities eligible under Title I of the federal Housing and Community Development Act of 1974, as amended (P.L. 93-383), and shall meet at least one of the three national objectives of the Housing and Community Development Act. Any expiration of G.S. ~~105-130.40(c)~~ 143B-437A or G.S. 105-129.3 shall not affect this subsection as to designations of ~~severely~~ economically distressed counties made prior to its expiration."

Sec. 3.9. G.S. 160A-456(e1) reads as rewritten:

"(e1) All program income from Economic Development Grants from the Small Cities Community Development Block Grant Program may be retained by recipient cities in ~~'severely~~ 'economically distressed counties', as ~~designated under G.S. 105-130.40(c),~~ defined in G.S. 143B-437A, for the purposes of creating local economic development revolving loan funds. Such program income derived through the use by cities of Small Cities Community Development Block Grant money includes but is not limited to: (i) payment of principal and interest on loans made by the county using Community Development Block Grant Funds; (ii) proceeds from the lease or disposition of real property acquired with Community Development Block Grant Funds; and (iii) any late fees associated with loan or lease payments in (i) and (ii) above. The local economic development revolving loan fund set up by the city shall fund only those activities eligible under Title I of the federal Housing and Community Development Act of 1974, as amended (P.L. 93-383), and shall meet at least one of the three national objectives of the Housing and Community Development Act. Any expiration of G.S. ~~105-130.40(c)~~ 143B-437A or G.S. 105-129.3 shall not affect this subsection as to designations of ~~severely~~ economically distressed counties made prior to its expiration."

Sec. 3.10. Part 2 of Article 10 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"**§ 143B-437D. Regional development.**

The Department of Commerce shall review the Economic Development Board's annual report on economic development to evaluate the progress of development in each of the economic regions defined by the Board in its Comprehensive Strategic Economic Development Plan. In its recruitment and development work, the Department shall strive for balance and equality among the economic regions and shall use its best efforts to locate new industries in the less developed areas of the State."

Sec. 3.11. Notwithstanding the provisions of G.S. 105-129.10, as enacted by this act, if a taxpayer relocates an employee to this State during 1996, any in-house research expenses the taxpayer incurs with respect to that employee during 1996, either before or after the employee is relocated to this State, are considered in-house research expenses in this State for the purposes of G.S. 105-129.10. Notwithstanding the definition of "Code" in G.S. 105-228.90, if the federal tax credit for increasing research activities that was formerly allowed under section 41 of the Code is reenacted, the credit for research and development allowed in Article 3A of Chapter 105 of the General Statutes, as enacted by this act, becomes effective for the same taxable year for which the reenacted federal credit becomes effective.

Sec. 3.12. Chapter 105 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 3B.

"Business Tax Credit.

"**§ 105-129.15. Definitions.**

The following definitions apply in this Article:

(1) Business property. — Tangible personal property that is used by the taxpayer in connection with a business or for the production of income and is capitalized by the taxpayer for tax purposes under the Code. The term does not include, however, a luxury passenger automobile taxable under section 4001 of the Code or a watercraft used principally for entertainment and pleasure outings for which no admission is charged.

(2) Cost. — Defined in section 179 of the Code.

(3) Purchase. — Defined in section 179 of the Code.

"**§ 105-129.16. Credit for investing in business property.**

(a) Credit. — A taxpayer that has purchased business property and places it in service in this State during the taxable year is allowed a credit equal to four and one-half percent (4.5%) of the cost of the property. The maximum credit allowed a taxpayer for property placed in service during a taxable year is four thousand five hundred dollars ($4,500). The entire credit may not be taken for the taxable year in which the property is placed in service but must be taken in five equal installments beginning with the taxable year in which the property is placed in service.

(b) Expiration. — If, in one of the five years in which the installment of a credit accrues, the business property with respect to which the credit was claimed is sold or moved out of State, the credit expires and the taxpayer may not take any remaining installment of the credit. The taxpayer may, however, take the portion of an installment that accrued in a previous year and was carried forward to the extent permitted under G.S. 105-129.17.

(c) No Double Credit. — A taxpayer that claims the credit allowed under Article 3A of this Chapter with respect to business property may not take the credit allowed in this section with respect to the same property.

"§ 105-129.17. Tax election; cap.

(a) Tax Election. — The credit allowed in this Article is allowed against the franchise tax levied in Article 3 of this Chapter or the income taxes levied in Article 4 of this Chapter. The taxpayer must elect the tax against which the credit will be claimed when filing the return on which the first installment of the credit is claimed. This election is binding. Any carryforwards of the credit must be claimed against the same tax.

(b) Cap. — The credit allowed in this Article may not exceed fifty percent (50%) of the tax against which it is claimed for the taxable year, reduced by the sum of all other credits allowed against that tax, except tax payments made by or on behalf of the taxpayer. This limitation applies to the cumulative amount of credit, including carryforwards, claimed by the taxpayer under this Article against each tax for the taxable year. Any unused portion of the credit may be carried forward for the succeeding five years.

"§ 105-129.18. Substantiation.

To claim the credit allowed by this Article, the taxpayer must provide any information required by the Secretary of Revenue. Every taxpayer claiming a credit under this Article must maintain and make available for inspection by the Secretary of Revenue any records the Secretary considers necessary to determine and verify the amount of the credit to which the taxpayer is entitled. The burden of proving eligibility for the credit and the amount of the credit rests upon the taxpayer, and no credit may be allowed to a taxpayer that fails to maintain adequate records or to make them available for inspection.

"§ 105-129.19. Reports.

The Department of Revenue shall report to the Legislative Research Commission and to the Fiscal Research Division of the General Assembly by May 1 of each year the following information for the 12-month period ending the preceding April 1:

(1) The number of taxpayers that claimed the credit allowed in this Article.

(2) The cost of business property with respect to which credits were claimed.

(3) The total cost to the General Fund of the credits claimed."

PART IV. PHASE OUT SOFT DRINK TAX

Sec. 4.1. G.S. 105-113.45, as amended by Chapter 646 of the 1995 Session Laws, reads as rewritten:

"§ 105-113.45. Excise taxes on soft drinks and base products.

(a) Bottled Soft Drinks. — An excise tax ~~of three-fourths cent (3/4¢)~~ at the applicable rate provided in the following table is levied on each bottled soft drink.

Date Tax Accrues	Rate
From 7/1/96 until 6/30/97	3/4¢
From 7/1/97 until 6/30/98	1/2¢
After 7/1/98	1/4¢

(b) Repealed by Session Laws 1991, c. 689, s. 276.

(c) Liquid Base Products. — An excise tax at the ~~rate of seventy-five cents (75¢) a gallon~~ applicable per-gallon rate provided in the table below is levied on

each individual container of a liquid base product. The tax applies regardless whether the liquid base product is diverted to and used for a purpose other than making a soft drink.

Date Tax Accrues	Rate
From 7/1/96 until 6/30/97	75¢
From 7/1/97 until 6/30/98	50¢
After 7/1/98	25¢

(d) Dry Base Products. — An excise tax is levied on each individual container of a dry base product ~~at the rate:~~ at:

(1) ~~Of three-fourths cent (3/4¢) an ounce~~ The applicable per-ounce rate in the table below if the dry base product is not converted into a syrup or other liquid base product before it is used to make a soft drink.

Date Tax Accrues	Rate
From 7/1/96 until 6/30/97	3/4¢
From 7/1/97 until 6/30/98	1/2¢
After 7/1/98	1/4¢

(2) ~~That~~ The rate that would apply under subsection (c) to the resulting liquid base product if the dry base product is converted into a liquid base product before it is used to make a soft drink.

(e) Repealed by Session Laws 1991, c. 689, s. 276."

Sec. 4.2. Effective July 1, 1999, Article 2B of Chapter 105 of the General Statutes, as amended by this act, is repealed. The Secretary shall retain from collections under Article 2 of Chapter 105 of the General Statutes the cost of refunding the taxes levied in Article 2B of Chapter 105 of the General Statutes.

PART V. MODIFY BUNDLED TRANSACTION SALES TAX

Sec. 5.1. Article 5 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"**§ 105-164.12B. Bundled transactions.**

(a) Bundled Transaction Defined. — A bundled transaction is a transaction in which all of the following conditions are met:

(1) A seller transfers an item of tangible personal property to a consumer on the condition that the consumer enter into an agreement to purchase services on an ongoing basis for a minimum period of at least six months.

(2) The agreement requires the consumer to pay a cancellation fee to the service provider if the consumer cancels the contract for services within the minimum period.

(3) For the item transferred, the seller:

a. Does not charge the consumer; or

b. Charges the consumer a price that, after any discount or rebate the seller gives the consumer, is below the cost price the seller paid for the item.

(b) Bundled Transaction Is a Sale; Sales Price. — If a seller transfers an item of tangible personal property as part of a bundled transaction, a sale has occurred, and the sales price of the item is presumed to be the retail price at which the item would sell if no agreement for services were entered into. Part of this price may be paid by the consumer at the time of the transfer; the remainder of the price is considered paid as part of the price to be paid for the services contracted for.

Sales tax is due on any part of the price paid by the consumer at the time of the transfer.

(c) No Additional Sales Tax if Services Taxed. — If the services for which the consumer was required to contract are subject to services taxes at a combined rate equal to or greater than the combined State and local general rate of sales and use tax, then no additional sales tax is due on the transfer. However, if the consumer cancels the contract for services before the expiration of the minimum period, sales tax applies to the cancellation fee paid by the consumer.

(d) Additional Sales Tax if Services Not Taxed. — If the services for which the consumer was required to contract are not subject to services taxes at a combined rate equal to or greater than the combined State and local general rate of sales and use tax, then sales tax is due at the time of the transfer on the remainder of the sales price not paid at that time.

(e) Services Taxes Defined. — For the purpose of this section, the term 'services taxes' means any combination of State franchise tax on gross receipts, State sales tax, or local sales tax levied on the sale of or gross receipts from the services.

(f) Determination of Cost Price. — For the purpose of this section, the cost price a seller paid for an item is presumed to be no greater than the price the seller paid for the same model within 12 months before the bundled transaction, as shown on the seller's invoices."

PART VI. REDUCE INHERITANCE AND GIFT TAXES

Sec. 6.1. G.S. 105–4(b) reads as rewritten:

"(b) An inheritance tax credit ~~in the amount specified in the following table~~ of thirty–three thousand one hundred fifty dollars ($33,150) is allowed against the tax imposed by this Article on the transfer of property to a Class A beneficiary.

~~For Decedents Dying on or After~~	~~Amount of Credit~~
~~August 1, 1985~~	~~$ 2,350~~
~~July 1, 1986~~	~~8,150~~
~~January 1, 1987~~	~~14,150~~
~~January 1, 1988~~	~~20,150~~
~~January 1, 1989~~	~~26,150~~

The credit may not exceed the amount of tax imposed by this Article.

This credit is allowed to Class A beneficiaries in the following order:

(1) Children who are less than 18 years old, and children who are at least 18 years old and who are single, are unable to support themselves because of mental or physical incapacity, and either are members of the decedent's household or, because of their mental or physical incapacity, live in an institution.

(2) Other Class A Beneficiaries. — The status of a beneficiary is determined as of the date of the decedent's death. When two or more beneficiaries are equally entitled to the credit, the credit shall be allocated among those beneficiaries on a pro rata basis according to their tax liability. ~~The credit allowed by this section may not exceed the amount of tax imposed by this Article.~~"

Sec. 6.2. G.S. 105–3 is amended by adding a new subdivision to read:

"(11) Property transferred to a spouse when the transfer of the property is exempt from federal estate and gift taxes under section 2056(b)(7) of the Code because it is considered qualified terminable interest property."

Sec. 6.3. G.S. 105–188 is amended by adding a new subsection to read:

"(j) The tax does not apply to property transferred to a spouse when the transfer of the property is exempt from federal estate and gift taxes under section 2523(f) of the Code because it is considered qualified terminable interest property."

Sec. 6.4. G.S. 105–2(a) reads as rewritten:

"(a) A tax shall be and is hereby imposed upon the transfer of any property, real or personal, or of any interest therein or income therefrom, in trust or otherwise, to persons or corporations, in the following cases:

(1) When the transfer is from a person who dies seized of the property while a resident of the State and it is made:
   a. By will or by intestacy;
   b. Pursuant to a final judgment entered in a proceeding to caveat a will; or
   c. Pursuant to a settlement agreement, to which the personal representative is a party, that, in the determination of the Secretary of Revenue in his sole discretion based on evidence presented by the personal representative, reflects the good faith, arm's–length compromise of an actual dispute between beneficiaries, heirs, or personal representatives and does not have the primary purpose of avoiding inheritance tax.

(2) When the transfer is by will or intestate laws of this or any other state of real property or goods, wares, and merchandise within this State, or of any property, real, personal, or mixed, tangible or intangible, over which the State of North Carolina has a taxing jurisdiction, including State and municipal bonds, and the decedent was a resident of the State at the time of death; when the transfer is of real property or tangible personal property within the State, or intangible personal property that has acquired a situs in this State, and the decedent was a nonresident of the State at the time of death.

(3) When the transfer of property made by a resident, or nonresident, is of real property within this State, or of goods, wares and merchandise within this State, or of any other property, real, personal, or mixed, tangible or intangible, over which the State of North Carolina has taxing jurisdiction, including State and municipal bonds, by deed, grant, bargain, sale, or gift made in contemplation of the death of the grantor, vendor, or donor, or intended to take effect in possession or enjoyment at or after such death, including a transfer under which the transferor has retained for his life or any period not ending before his death (i) the possession or enjoyment of, or the income from, the property or (ii) the right to designate the persons who shall possess or enjoy the property or the income therefrom. The aggregate value exceeding ten thousand dollars ($10,000) of transfers to any one donee within a tax year by deed, grant, bargain, sale, gift, or combination thereof, made within three years prior to the death of the grantor, vendor, or donor, without an adequate valuable consideration, shall be presumed, subject to rebuttal, to have been made in contemplation of death within the meaning of this section; the first ten thousand dollars ($10,000) in value shall be deemed not made in contemplation of death.

(4) When any person or corporation comes into possession or enjoyment, by a transfer from a resident, or from a nonresident decedent when such nonresident decedent's property consists of real property within this State or tangible personal property within the State, or intangible personal property that has acquired a situs in this State, of an estate in expectancy of any kind or character which is contingent or defeasible, transferred by any instrument taking effect after March 24, 1939.

(5) a. For purposes of this Article, the term 'general power of appointment' means a power which is exercisable in favor of the decedent, his estate, his creditors, or the creditors of his estate; except that:

1. A power to consume, invade or appropriate property for the benefit of the decedent which is limited by an ascertainable standard relating to the health, education, support or maintenance of the decedent shall not be deemed a general power of appointment.
2. A power of appointment which is exercisable by the decedent only in conjunction with another person:

I. If the power is not exercisable by the decedent except in conjunction with the creator of the power, such power shall not be deemed a general power of appointment.

II. If the power is not exercisable by the decedent except in conjunction with a person having a substantial interest in the property, subject to the power, which is adverse to exercise of the power in favor of the decedent, such power shall not be deemed a general power of appointment. For the purposes of this clause a person who, after the death of the decedent, may be possessed of a power of appointment (with respect to the property subject to the decedent's power) which he may exercise in his own favor shall be deemed as having an interest in the property and such interest shall be deemed adverse to such exercise of the decedent's power.

III. If (after the application of clauses I and II) the power is a general power of appointment and is exercisable in favor of such other person, such power shall be deemed a general power of appointment only in respect of a fractional part of the property subject to such power, such part to be determined by dividing the value of such property by the number of such persons (including the decedent) in favor of whom such power is exercisable.

IV. For purposes of clauses II and III, a power shall be deemed to be exercisable in favor of a person if it is exercisable in favor of such person, his estate, his creditors, or the creditors of his estate.

b. Whenever any person shall have a general power of appointment with respect to any interest in property, such person shall, for the

purposes of this Article, be deemed the owner of such interest and accordingly:

1. If in connection with any transfer of property taxable under this Article the transferor shall give to any person a general power of appointment with respect to any interest in such property, the transferor shall be deemed to have given such interest in such property to such person.
2. If any person holding a general power of appointment with respect to any interest in property shall exercise such power in favor of any other person or persons, either by will or by an appointment made in contemplation of the death of such person, or by an appointment intended to take effect in possession or enjoyment at or after such death, he shall be deemed to have made a transfer of such interest to such person or persons.
3. If any person holding a general power of appointment with respect to any interest in property shall relinquish such power by any action taken in contemplation of death or intended to take effect at or after his death, or shall die without fully exercising such power, he shall be deemed, to the extent of such relinquishment or nonexercise, to have made a transfer of such interest to the person or persons who shall benefit thereby.

(6) Neither the exercise nor the relinquishment of a special power of appointment (which shall mean any power other than a general power) with respect to an interest in property shall be deemed to constitute a transfer of such interest within the meaning of this Article. If in connection with any transfer taxable under this Article the transferor shall give to any person a special power of appointment with respect to any interest in property, he shall be deemed, for the purpose of computing the tax applicable thereto, to have given such interest in equal shares to those persons, not more than two, among the possible appointees and takers in default of appointment whom the transferor's executor or administrator may designate as transferees in the inheritance tax return, except that:

a. If a gift tax return is filed with respect to such transfer, the persons designated therein shall also be designated in the inheritance tax return, and
b. The tax shall be computed according to the relationship of the donee of the power to the persons designated if the possible appointees and takers in default of appointment include any persons more closely related to the donee of the power than to the donor, and if such computation would produce a higher tax.

(7), (7a) Repealed by Session Laws, 1985, c. 656, s. 1.

(8) Where the proceeds of life insurance policies are payable as provided in G.S. 105–13.

(9) Whenever any person or corporation comes into possession or enjoyment of any real or personal property, including bonds of the United States and bonds of a state or subdivision or agency thereof, at or after the death of an individual and by reason of said individual's having entered into a contract or other arrangement with the United States, a state or any person or corporation to pay,

transfer or deliver said real or personal property, including bonds of the United States and bonds of a state, to the person or corporation receiving the same, whether said person or corporation is named in the contract or other arrangement or not: Provided, that no tax shall be due or collected on that portion of the real or personal property received under the conditions outlined herein which the person or corporation receiving the same purchased or otherwise acquired by funds or property of the person or corporation receiving the same, or had acquired by a completed inter vivos gift.

Nothing in subdivision (9) shall apply to the proceeds of life insurance policies.

(10) Upon the death of a spouse who had a qualifying income interest for life in qualified terminable interest property whose previous transfer was exempt from inheritance or gift taxes under G.S. 105–3(11) or G.S. 105–188(j), the qualified terminable interest property that was previously exempt is considered to pass from the spouse to the person who is entitled to the property upon the termination of the spouse's qualifying income interest for life.

However, nothing in this Article shall be construed as imposing a tax upon any transfer of intangibles not having a commercial or business situs in this State, by a person, or by reason of the death of a person, who was not a resident of this State at the time of his death, and, if held or transferred in trust, such intangibles shall not be deemed to have a commercial or business situs in this State merely because the trustee is a resident or, if a corporation, is doing business in this State, unless the same be employed in or held or used in connection with some business carried on in whole or in part in this State."

Sec. 6.5. G.S. 105–9(8) reads as rewritten:

"(8) Costs of ~~administration, including~~ administration not claimed as a deduction on the federal income tax return filed under the Code by the fiduciary for the decedent's estate. Costs of administration include reasonable attorneys' fees."

Sec. 6.6. Article 1 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"**§ 105–23.1. Making installment payments of tax due when federal estate tax is payable in installments.**

A personal representative who elects under section 6166 of the Code to make installment payments of federal estate tax may elect to make installment payments of the tax imposed by this Article. An election under this section extends the time for payment of the tax due in accordance with the extension elected under section 6166 of the Code. Payments of tax are due under this section at the same time and in the same proportion to the total amount of tax due as payments of federal tax under section 6166 of the Code. Acceleration of payments under section 6166 of the Code accelerates the payments due under this section."

PART VII. NONITEMIZER CHARITABLE CONTRIBUTION TAX CREDIT

Sec. 7.1. Division II of Article 4 of Chapter 105 of the General Statutes is amended by adding a new section to read:

"**§ 105–151.26. Credit for charitable contributions by nonitemizers.**

A taxpayer who elects the standard deduction under section 63 of the Code for federal tax purposes is allowed as a credit against the tax imposed by this Division an amount equal to two and three–fourths percent (2.75%) of the taxpayer's excess

charitable contributions. The taxpayer's excess charitable contributions are the amount by which the taxpayer's charitable contributions for the taxable year that would have been deductible under section 170 of the Code if the taxpayer had not elected the standard deduction exceed two percent (2%) of the taxpayer's adjusted gross income as calculated under the Code.

No credit shall be allowed under this section for amounts deducted from gross income in calculating taxable income under the Code or for contributions for which a credit was claimed under G.S. 105–151.12 or G.S. 105–151.14. A nonresident or part–year resident who claims the credit allowed by this section shall reduce the amount of the credit by multiplying it by the fraction calculated under G.S. 105–134.5(b) or (c), as appropriate. The credit allowed under this section may not exceed the amount of tax imposed by this Division for the taxable year reduced by the sum of all credits allowed, except payments of tax made by or on behalf of the taxpayer."

PART VIII. EXCLUDE CERTAIN SEVERANCE PAY FROM INCOME TAX

Sec. 8.1. G.S. 105–134.6(b) is amended by adding a new subdivision to read:

"(11) The amount paid to the taxpayer as severance wages as the result of the permanent closure of a manufacturing or processing plant, not to exceed a maximum of thirty–five thousand dollars ($35,000) for the taxable year."

Sec. 8.2. G.S. 105–134.1 is amended by adding a new subdivision to read:

"(15a) Manufacturing and processing. — Defined in the Standard Industrial Classification Manual issued by the United States Bureau of the Census."

PART IX. REDUCE SALES TAX ON FARM AND INDUSTRY FUEL

Sec. 9.1. G.S. 105–164.4(a) is amended by adding a new subdivision to read:

"(1f) The rate of two and eighty–three–hundredths percent (2.83%) applies to the sales price of electricity and piped natural gas described in this subdivision and measured by a separate meter or another device:

a. Sales of electricity and piped natural gas to farmers to be used by them for any farm purposes other than preparing food, heating dwellings, and other household purposes. The quantity of electricity or gas purchased or used at any one time shall not be a determinative factor as to whether its sale or use is or is not subject to the rate of tax provided in this subdivision.

b. Sales of electricity and piped natural gas to manufacturing industries and manufacturing plants for use in connection with the operation of the industries and plants other than sales of electricity and gas to be used for residential heating purposes. The quantity of electricity or gas purchased or used at any one time shall not be a determinative factor as to whether its sale or use is or is not subject to the rate of tax provided in this subdivision.

c. Sales of electricity and piped natural gas to commercial laundries or to pressing and dry–cleaning establishments for use in

machinery used in the direct performance of the laundering or the pressing and cleaning service."

Sec. 9.2. G.S. 105–164.4(a)(4a) reads as rewritten:

"(4a) The rate of three percent (3%) applies to the gross receipts derived by a utility from sales of electricity, piped natural gas, or local telecommunications service as defined by G.S. ~~105–120(e).~~ 105–120(e), other than sales of electricity or piped natural gas subject to tax under another subdivision in this section. Gross receipts from sales of piped natural gas shall not include natural gas expansion surcharges imposed under G.S. 62–158. A person who operates a utility is considered a retailer under this Article."

PART X. EFFECTIVE DATES

Sec. 10.1. This act does not affect the rights or liabilities of the State, a taxpayer, or another person arising under a statute amended or repealed by this act before its amendment or repeal; nor does it affect the right to any refund or credit of a tax that would otherwise have been available under the amended or repealed statute before its amendment or repeal.

Sec. 10.2. This act becomes effective as follows:

(1) Reduce sales tax on food. — Part I of this act becomes effective January 1, 1997, and applies to sales made on or after that date.

(2) Reduce corporate income tax. — Section 2.1 of Part II of this act is effective for taxable years beginning on or after January 1, 1997. Section 2.2 of Part II of this act becomes effective October 1, 1997, and applies to remittances made on or after that date.

(3) Quality jobs and business expansion tax credits. — Sections 3.5, 3.6, and 3.8 through 3.10 of Part III of this act become effective August 1, 1996. G.S. 105–129.11, as enacted by Part III of this act, becomes effective for taxable years beginning on or after January 1, 1997, and applies to training expenditures made on or after July 1, 1997. The remainder of Part III of this act is effective for taxable years beginning on or after January 1, 1996, and applies to jobs created on or after August 1, 1996, and property placed in service on or after August 1, 1996. Article 3A of Chapter 105 of the General Statutes is repealed effective for applications for credits filed under G.S. 105–129.6 on or after January 1, 2002. Article 3B of Chapter 105 of the General Statutes is repealed effective for business property placed in service on or after January 1, 2002.

(4) Phase out soft drink tax. — Section 4.1 of Part IV of this act becomes effective July 1, 1997. Section 4.2 of Part IV of this act becomes effective July 1, 1999.

(5) Modify bundled transaction sales tax. — Part V of this act becomes effective on the earliest date practicable. The "earliest date practicable" is considered to be the first day of the third month following the ratification of this act. The Part applies to sales made on or after the effective date.

(6) Reduce inheritance and gift taxes. — Part VI of this act becomes effective January 1, 1997, and applies to the estates of decedents dying on or after that date and to gifts made on or after that date.

(7) Nonitemizer charitable contribution tax credit. — Part VII of this act is effective for taxable years beginning on or after January 1, 1997.

(8) Exclude certain severance pay from income tax. — Part VIII of this act is effective for taxable years beginning on or after January 1, 1996.

(9) Reduce sales tax on farm and industry fuel. — Part IX of this act becomes effective August 1, 1996, and applies to sales made on or after that date.

(10) Remainder. — The remainder of this act is effective upon ratification.

The Chair rules the Conference Committee Report to be material and submission constitutes the first reading of the measure.

The Conference Report is ordered placed on the Calendar for tomorrow, Thursday, August 1, for adoption upon second reading.

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages received in the office of the Principal Clerk from the House of Representatives transmitting bills are presented to the Senate, read the first time, and disposed of, as follows:

H.B. 61 (Committee Substitute), a bill to appoint persons to public office upon the recommendation of the Speaker of the House of Representatives.

Referred to **Rules and Operation of the Senate Committee.**

H.B. 56 (Committee Substitute), a bill to allow Hyde, Jones, New Hanover, Pitt, and Surry Counties to acquire property for use by their County Boards of Education.

Pursuant to Rule 43, the Committee Substitute bill is ordered held in the office of the Principal Clerk pending referral to committee.

On motion of Senator Basnight, seconded by Senator Gulley, the Senate adjourns at 4:46 P.M. to meet tomorrow, Thursday, August 1, at 2:00 P.M.

EIGHTEENTH DAY

SENATE CHAMBER
Thursday, August 1, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Reverend Mike Morris, Senate Chaplain, quoting from Ralph Waldo Emerson, as follows:

"'It is one of the most beautiful compensations of this life that no person can sincerely try to help another without helping himself or herself.'

"The members of the Senate family thank You for the privilege of serving, the

blessing of sharing, the joy of helping. Thank You for making us capable of caring, fortunate enough to have a surplus, eager enough to want to pass it on.

"Call us to leave this place committed to Your purpose to do good daily, eager to make giving as much a part of our lives as You do and able to hear the Voice of Hope that binds us all as one. In Your Name we pray, Amen."

With unanimous consent, the President grants leaves of absence for today to Senator Forrester to cover medical practice; to Senator Hobbs; and to Senator Parnell who is out of the country.

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Wednesday, July 31, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

INTRODUCTION OF A RESOLUTION

A resolution filed for introduction is presented to the Senate, read the first time, and disposed of, as follows:

By Senators Horton, McDaniel, East, Blust, Clark, Blackmon, McKoy, Carrington, Ledbetter, Foxx, Davis, Cochrane, Little, Hartsell, Smith, Carpenter, and Webster:

S.J.R. 50, a joint resolution authorizing the Second Extra Session 1996 to consider a bill to be entitled an act to end *per diem* for the Second Extra Session.

Referred to **Rules and Operation of the Senate Committee.**

The Senate recesses at 2:34 P.M. for the purpose of a meeting of the **Finance Committee** to reconvene at 2:50 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

REPORTS OF COMMITTEES

Standing committee reports are submitted out of the regular order of business, bills are read by their titles, together with the reports accompanying them, and take their place on the Calendar, as follows:

By Senator Rand for the **Rules and Operation of the Senate Committee**:

S.B. 41, a bill to provide for nonpartisan election of superior court judges in their districts, with an unfavorable report as to bill, but favorable as to Committee Substitute bill.

On motion of Senator Rand, the rules are suspended, and the proposed Committee Substitute bill 2771, which changes the title to read **S.B. 41** (Committee Substitute), a bill to provide for partisan election of superior court judges in their districts in 1996 and nonpartisan election in their districts thereafter and

concerning vacancies in superior court judgeships, is placed before the Senate for immediate consideration.

On motion of Senator Rand, the Committee Substitute bill is adopted.

With unanimous consent, on motion of Senator Rand, the rules are suspended to the end the Committee Substitute bill remains before the Senate for immediate consideration upon its passage.

Senator Cooper offers Amendment No. 1 which is adopted (43–0).

The Committee Substitute bill, as amended, passes its second (44–0) and third readings and is ordered engrossed and sent to the House of Representatives.

By Senator Kerr for the **Finance Committee:**

H.B. 30, a bill to provide federal retirees a refundable tax credit, without interest, for State income tax paid on their retirement benefits for tax years 1985 through 1988, with an unfavorable report as to bill, but a favorable report as to Senate Committee Substitute bill.

On motion of Senator Kerr, the rules are suspended, and the proposed Senate Committee Substitute bill 2304, which changes the title, upon concurrence, to read **H.B. 30** (Senate Committee Substitute), a bill to refund to federal retirees the unconstitutional taxes they paid on their pensions for tax years 1985 through 1988, is placed before the Senate for immediate consideration.

On motion of Senator Kerr, the Senate Committee Substitute bill is adopted.

With unanimous consent, on motion of Senator Kerr, the rules are suspended to the end the Senate Committee Substitute bill remains before the Senate for immediate consideration upon its passage.

The Senate Committee Substitute bill passes its second (46–0) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

CALENDAR

The bill on today's Calendar is taken up and disposed of, as follows:

H.B. 18 (Committee Substitute), a bill to phase out the State sales tax on food over four years, phase down the corporate income tax over four years, allow income and franchise tax credits for investments in business property and for research and development, phase out the soft drink tax over three years, reduce the sales tax rate on electricity and natural gas used in farming and manufacturing, modify the sales tax treatment of bundled transactions and free items given away by merchants, simplify and reduce inheritance and gift taxes, exempt from income tax severance wages paid due to plant closings, expand the property tax homestead exemption, and allow tax incentives for charitable donations, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 18** (Senate Committee Substitute), a bill to allow income and franchise tax credits for investment in machinery and equipment, creating jobs, increasing research and development, and worker training, to modify the sales tax treatment of bundled transactions, to expand the property tax homestead exemption, and to reduce the franchise tax on certain inventories, Conference Report, submitted Wednesday, July 31, which proposes to further change the title upon adoption, to read **H.B. 18** (Senate Committee Substitute), a bill to reduce taxes for the citizens

of North Carolina and to provide incentives for high quality jobs and business expansion in North Carolina, for adoption upon second reading.

The Senate adopts the Conference Report on its second reading by roll–call vote, ayes 46, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Foxx, Gulley, Hartsell, Horton, Hoyle, Jordan, Kerr, Kincaid, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—46.

Voting in the negative: None.

The Conference Report remains on the Calendar for tomorrow, Friday, August 2, for further consideration for adoption upon third reading.

The Senate recesses at 3:20 P.M. to reconvene at 3:30 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

With unanimous consent, the President grants a leave of absence for the remainder of today's Session to Senator Gulley.

WITHDRAWAL FROM CLERK'S OFFICE

S.B. 9, a bill to authorize the Pender County Board of Education to convey certain property at private sale to the Maple Hill Civic Club, Inc., a nonprofit corporation, ordered held for referral to committee in the office of the Principal Clerk on July 8.

Senator Rand, Chairman of the **Rules and Operation of the Senate Committee**, offers a motion the rules be suspended to the end the bill be taken from the office of the Principal Clerk and placed before the Senate for immediate consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the office of the Principal Clerk and places it before the Senate for immediate consideration upon its passage.

The bill passes its second and third readings and is ordered sent to the House of Representatives.

S.B. 24, a bill to annex a described area to the Town of Aberdeen, ordered held for referral to committee in the office of the Principal Clerk on July 10.

Senator Rand, Chairman of the **Rules and Operation of the Senate Committee**, offers a motion the rules be suspended to the end the bill be taken from the office of the Principal Clerk and placed before the Senate for immediate consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the office of the Principal Clerk and places it before the Senate for immediate consideration upon second reading.

The bill passes its second reading by roll–call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper,

Dannelly, Davis, East, Edwards, Foxx, Hartsell, Horton, Hoyle, Jordan, Kerr, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—44.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Friday, August 2, for further consideration upon third reading.

S.B. 29, a bill to allow the City of Reidsville to delay the effective date of annexations as to a specified tract and to exempt the annexation of two city lakes from the ceiling on satellite annexations, ordered held for referral to committee in the office of the Principal Clerk on July 10.

Senator Rand, Chairman of the **Rules and Operation of the Senate Committee**, offers a motion the rules be suspended to the end the bill be taken from the office of the Principal Clerk and placed before the Senate for immediate consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the office of the Principal Clerk and places it before the Senate for immediate consideration upon second reading.

The bill passes its second reading by roll–call vote, ayes 43, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Foxx, Hartsell, Horton, Hoyle, Jordan, Kerr, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Smith, Soles, Speed, Warren, Webster, and Winner—43.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Friday, August 2, for further consideration upon third reading.

H.B. 56 (Committee Substitute), a bill to allow Hyde, Jones, New Hanover, Pitt, and Surry Counties to acquire property for use by their County Boards of Education, ordered held for referral to committee in the office of the Principal Clerk on July 31.

Senator Rand, Chairman of the **Rules and Operation of the Senate Committee**, offers a motion the rules be suspended to the end the Committee Substitute bill be taken from the office of the Principal Clerk and placed before the Senate for immediate consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the Committee Substitute bill recalled from the office of the Principal Clerk and places it before the Senate for immediate consideration upon second reading.

The Committee Substitute bill passes its second reading by roll–call vote, ayes 42, noes 2, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Foxx, Hartsell, Horton, Hoyle, Jordan, Kerr, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, and Webster—42.

Voting in the negative: Senators Perdue and Winner—2.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Friday, August 2, for further consideration upon third reading.

H.B. 36, a bill to enable the County of Lincoln and the City of Lincolnton to establish an Airport Authority for the maintenance of airport facilities in the County, ordered held for referral to committee in the office of the Principal Clerk on July 17.

Senator Rand, Chairman of the **Rules and Operation of the Senate Committee**, offers a motion the rules be suspended to the end the bill be taken from the office of the Principal Clerk and placed before the Senate for immediate consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the bill recalled from the office of the Principal Clerk and places it before the Senate for immediate consideration upon second reading.

The bill passes its second reading by roll–call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Foxx, Hartsell, Horton, Hoyle, Jordan, Kerr, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—44.

Voting in the negative: None.

The bill is ordered placed on the Calendar for tomorrow, Friday, August 2, for further consideration upon third reading.

H.B. 20 (Committee Substitute), a bill to reactivate the Charter of the Town of Wilson's Mills in Johnston County, and to allow deannexation of an area by the Town of Four Oaks, ordered held for referral to committee in the office of the Principal Clerk on July 18.

Senator Rand, Chairman of the **Rules and Operation of the Senate Committee**, offers a motion the rules be suspended to the end the Committee Substitute bill be taken from the office of the Principal Clerk and placed before the Senate for immediate consideration upon its passage, which motions prevail with unanimous consent.

The Chair orders the Committee Substitute bill recalled from the office of the Principal Clerk and places it before the Senate for immediate consideration upon second reading.

The Committee Substitute bill passes its second reading by roll–call vote, ayes 44, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Ballantine, Basnight, Blackmon, Blust, Carpenter, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Foxx, Hartsell, Horton, Hoyle, Jordan, Kerr, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Simpson, Smith, Soles, Speed, Warren, Webster, and Winner—44.

Voting in the negative: None.

The Committee Substitute bill is ordered placed on the Calendar for tomorrow, Friday, August 2, for further consideration upon third reading.

On motion of Senator Basnight, seconded by Senator Rand, the Senate adjourns at 4:12 P.M. to meet tomorrow, Friday, August 2, at 12:00 Noon.

NINETEENTH DAY

SENATE CHAMBER
Friday, August 2, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Prayer is offered by the Honorable Jeanne H. Lucas, Senator from Durham County, as follows:

"Let us pray.

"Father, it is with great joy that we bow in humble submission to say thank You for Your many wonderful blessings. We want to pay special thanks to our President, Lieutenant Governor Wicker; to our Senate leader, Marc Basnight; to minority leader, Senator Cochrane; and then to our special three Senators, Plyler, Perdue, and Odom. Father, we thank You for these leaders, for the staff, for the other Senators to whom You have given individual, special gifts; and then You have given us all special gifts for the common good. And those gifts are to love, to share, to care, to support, and to encourage. Father, we thank You for these gifts because we know that, as You did for Abraham with his son, Isaac, the angel came just in time. And for us as human beings, with our special gifts, we can come just in time for the citizens of this State. Father, help us to be olympians with decision–making that will help everyone throughout the land.

"We give a special prayer for Pastor Morris who has to be away today on vacation with his family. We want to thank You for him and all that he has done to guide and direct us.

"Father, we ask that You continue to make us servants and not celebrities. For Your Sake, we pray. Amen."

With unanimous consent, the President grants a leave of absence for today to Senator Carpenter who is out of the State; to Senator Gulley to make a presentation in Virginia; to Senator Kincaid; and to Senator Parnell who is out of the country.

Senator Soles, Deputy President *Pro Tempore*, announces the Journal of yesterday, Thursday, August 1, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

The Senate recesses at 12:08 P.M. to reconvene at 2:00 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

With unanimous consent, the President grants a leave of absence to the Reading Clerk, LeRoy Clark, for the remainder of this Session.

ENROLLED BILL

The Enrolling Clerk reports the following bill properly enrolled and it is duly ratified and sent to the Office of the Secretary of State:

S.B. 41 (Committee Substitute), an act to provide for partisan election of superior court judges in their districts in 1996 and nonpartisan election in their districts thereafter and concerning vacancies in superior court judgeships. (Ch. 9)

CALENDAR

Bills on today's Calendar are taken up and disposed of, as follows:

S.B. 24, a bill to annex a described area to the Town of Aberdeen, upon third reading.

The bill passes its third reading by roll–call vote, ayes 42, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Ballantine, Basnight, Blackmon, Blust, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Hartsell, Hoyle, Jordan, Kerr, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Smith, Soles, Speed, Warren, Webster, and Winner—42.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

S.B. 29, a bill to allow the City of Reidsville to delay the effective date of annexations as to a specified tract and to exempt the annexation of two city lakes from the ceiling on satellite annexations, upon third reading.

The bill passes its third reading by roll–call vote, ayes 42, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Ballantine, Basnight, Blackmon, Blust, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Hartsell, Hoyle, Jordan, Kerr, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Smith, Soles, Speed, Warren, Webster, and Winner—42.

Voting in the negative: None.

The bill is ordered sent to the House of Representatives.

H.B. 20 (Committee Substitute), a bill to reactivate the Charter of the Town of Wilson's Mills in Johnston County, and to allow deannexation of an area by the Town of Four Oaks, upon third reading.

The Committee Substitute bill passes its third reading by roll–call vote, ayes 42, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Ballantine, Basnight, Blackmon, Blust, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Hartsell, Hoyle, Jordan, Kerr, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Smith, Soles, Speed, Warren, Webster, and Winner—42.

Voting in the negative: None.

The Committee Substitute bill is ordered enrolled.

H.B. 36, a bill to enable the County of Lincoln and the City of Lincolnton to establish an Airport Authority for the maintenance of airport facilities in the County, upon third reading.

The bill passes its third reading by roll–call vote, ayes 42, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Ballantine, Basnight, Blackmon, Blust, Carrington, Clark, Cochrane, Conder, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Hartsell, Hoyle, Jordan, Kerr, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Smith, Soles, Speed, Warren, Webster, and Winner—42.

Voting in the negative: None.

The bill is ordered enrolled.

H.B. 56 (Committee Substitute), a bill to allow Hyde, Jones, New Hanover, Pitt, and Surry Counties to acquire property for use by their County Boards of Education, upon third reading.

The Committee Substitute bill passes its third reading by roll–call vote, ayes 39, noes 2, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Ballantine, Basnight, Blackmon, Blust, Carrington, Clark, Cochrane, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Hartsell, Hoyle, Jordan, Kerr, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Plexico, Plyler, Rand, Shaw, Sherron, Smith, Soles, Speed, Warren, and Webster—39.

Voting in the negative: Senators Perdue and Winner—2.

The Committee Substitute bill is ordered enrolled.

H.B. 18 (Committee Substitute), a bill to phase out the State sales tax on food over four years, phase down the corporate income tax over four years, allow income and franchise tax credits for investments in business property and for research and development, phase out the soft drink tax over three years, reduce the sales tax rate on electricity and natural gas used in farming and manufacturing, modify the sales tax treatment of bundled transactions and free items given away by merchants, simplify and reduce inheritance and gift taxes, exempt from income tax severance wages paid due to plant closings, expand the property tax homestead exemption, and allow tax incentives for charitable donations, which Senate Committee Substitute bill proposed to change the title, upon concurrence, to read **H.B. 18** (Senate Committee Substitute), a bill to allow income and franchise tax credits for investment in machinery and equipment, creating jobs, increasing research and development, and worker training, to modify the sales tax treatment of bundled transactions, to expand the property tax homestead exemption, and to reduce the franchise tax on certain inventories, which Conference Report submitted Wednesday, July 31, proposes to further change the title upon adoption, to read **H.B. 18** (Senate Committee Substitute), a bill to reduce taxes for the citizens of North Carolina and to provide incentives for high quality jobs and business expansion in North Carolina, for adoption upon third reading.

The Senate adopts the Conference Report on its third reading by roll–call vote, ayes 42, noes 0, as follows:

Voting in the affirmative: Senators Albertson, Ballance, Ballantine, Basnight, Blackmon, Blust, Carrington, Clark, Cochrane, Cooper, Dannelly, Davis, East, Edwards, Forrester, Foxx, Hartsell, Horton, Hoyle, Jordan, Kerr, Ledbetter,

Little, Lucas, Martin of Pitt, Martin of Guilford, McDaniel, McKoy, Odom, Page, Perdue, Plexico, Plyler, Rand, Shaw, Sherron, Smith, Soles, Speed, Warren, Webster, and Winner—42.

Voting in the negative: None.

The Chair orders a message sent to the House of Representatives informing that Honorable Body of such action to the end they may order the Senate Committee Substitute bill enrolled upon a like action.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

H.B. 18
(Senate Committee Substitute)

House of Representatives
August 2, 1996

Mr. President,

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **HB 18**, A BILL TO BE ENTITLED AN ACT TO REDUCE TAXES FOR THE CITIZENS OF NORTH CAROLINA AND TO PROVIDE INCENTIVES FOR HIGH QUALITY JOBS AND BUSINESS EXPANSION IN NORTH CAROLINA. Pursuant to the receipt of your message that your Honorable Body has adopted the report of the Conferees, we will order the bill enrolled.

Respectfully,
Denise G. Weeks
S/sw
Principal Clerk

SPECIAL MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Special messages received in the office of the Principal Clerk from the House of Representatives transmitting bills for concurrence are presented to the Senate, read, and disposed of, as follows:

S.B. 6 (House Committee Substitute), a bill to provide tax reform and tax relief for the citizens of North Carolina by repealing the unconstitutional corporate tax credit for North Carolina wine, repealing the unconstitutional corporate tax deduction for North Carolina dividends, repealing the unconstitutional individual income tax credit for North Carolina dividends, revising the unconstitutional tax credit for qualified business investments, clarifying the tax treatment of refunds of unconstitutional taxes, clarifying the sales and use tax treatment of items given away by merchants, providing the Secretary of Revenue authority to improve use tax collection, exempting from sales and use tax inventory that is donated by a merchant to a charitable nonprofit organization, and repealing most State privilege license taxes, for concurrence in the House Committee Substitute bill.

On motion of Senator Rand, the rules are suspended without objection, and the House Committee Substitute bill is placed before the Senate for immediate consideration, upon concurrence.

The Chair holds the House Committee Substitute bill not to be material.

The Senate concurs in the House Committee Substitute bill (43–0) and the measure is ordered enrolled.

S.B. 46, a bill to authorize studies by the Legislative Research Commission, to create and continue various commissions, and to direct State agencies and Legislative Oversight committees and commissions to study specified issues, for concurrence in the House of Committee Substitute bill, which proposes to change the title, upon concurrence, to read **S.B. 46** (House Committee Substitute), a bill to authorize studies by the Legislative Research Commission, to create and continue various commissions, to direct State agencies and Legislative Oversight Committees and Commissions to study specified issues, to abolish the Health Care Reform Commission, and to amend the laws governing corporate reinstatement after dissolution.

On motion of Senator Rand, the rules are suspended without objection, and the House Committee Substitute bill is placed before the Senate for immediate consideration, upon concurrence.

The Senate fails to concur in the House Committee Substitute bill (9–34).

Senator Rand offers a motion to the end the Senate do appoint conferees, which motion prevails.

The President *Pro Tempore* appoints Senator Rand, Chairman, and Senators Ballantine and Hoyle as conferees on the part of the Senate to resolve the difference arising between the two Bodies, and a message is ordered sent to the House of Representatives informing that Body of such action and requesting conferees.

The Chair extends courtesies of the floor to William Lucas, husband of Senator Jeanne Lucas.

The Chair extends courtesies of the floor to Ralph Hunt, Utilities Commissioner and former Senator from Durham County.

With unanimous consent, the President grants a leave of absence for the remainder of today's Session to Senator Edwards and to Senator Winner.

REPORT OF COMMITTEE

A standing committee report is submitted out of the regular order of business, a bill is read by its title, together with the report accompanying it, and take its place on the Calendar, as follows:

By Senator Rand for the **Rules and Operation of the Senate Committee**:

H.B. 61 (Committee Substitute), a bill to appoint persons to public office upon the recommendation of the Speaker of the House of Representatives, with an unfavorable report as to Committee Substitute bill, but favorable as to Senate Committee Substitute bill.

On motion of Senator Rand, the rules are suspended, and the proposed Senate Committee Substitute bill 8328 is placed before the Senate for immediate consideration, and on his further motion is adopted.

With unanimous consent, on motion of Senator Rand, the rules are suspended to the end the Senate Committee Substitute bill remains before the Senate for immediate consideration upon its passage.

The Senate Committee Substitute bill passes its second (34–0) and third readings and is ordered sent to the House of Representatives, for concurrence in the Senate Committee Substitute bill.

The Senate recesses at 3:20 P.M. to reconvene at 5:00 P.M.

RECESS

The Senate meets pursuant to recess and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S.B. 46 House of Representatives
(House Committee Substitute) August 2, 1996

Mr. President:

Pursuant to your information that your Honorable Body failed to concur in the House Committee Substitute for **SB 46**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMISSIONS, AND TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, the Speaker has appointed as conferees on the part of the House,

Representative Morgan, Chair;
Representative Gray,
Representative Pulley, and
Representative Crawford

to act with a like committee on the part of the Senate to the end that the differences existing between the two bodies may be adjusted.

Respectfully,
Denise G. Weeks
S/sw
Principal Clerk

With unanimous consent, the President grants a leave of absence for the remainder of today's Session to Senator Smith.

CONFERENCE REPORT

S.B. 46 (House Committee Substitute)

Senator Rand, for the Conferees appointed to consider the differences arising between the Senate and House of Representatives upon **S.B. 46**, a bill to authorize studies by the Legislative Research Commission, to create and continue various commissions, and to direct State agencies and Legislative oversight committees and commissions to study specified issues, which House Committee Substitute bill proposes to change the title, upon concurrence, to read **S.B. 46** (House Committee Substitute), a bill to authorize studies by the Legislative Research Commission, to create and continue various commissions, to direct State agencies and Legislative oversight committees and commissions to study specified issues, to abolish the

Health Care Reform Commission, and to amend the laws governing corporate reinstatement after dissolution, submits for adoption the following report:

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on Senate Bill 46, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMISSIONS, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, TO ABOLISH THE HEALTH CARE REFORM COMMISSION, AND TO AMEND THE LAWS GOVERNING CORPORATE REINSTATEMENT AFTER DISSOLUTION, House Committee Substitute, Third Edition Engrossed 8/1/96, submit the following report:

The Senate and House agree to the following amendments to the House Committee Substitute, Third Edition Engrossed 8/1/96, and the Senate concurs in the House Committee Substitute, Third Edition Engrossed 8/1/96 as amended:

on page 3, between lines 15 and 16 by inserting the following:

"(j) Alternatives for Providing Permanent Dedicated Sources of Revenue for Affordable Housing (Gulley; S.B. 10 from the 1996 Second Extra Session – Jordan; H.B. 59 from the Second Extra Session – Shaw). The study may consider:

(1) Possible sources of revenue for permanent, dedicated funding for the perpetuation of the North Carolina Housing Trust Fund.
(2) Permanent, dedicated funding for the Center for Community Self-Help's Home Ownership Expansion Program.
(3) Funding of capacity building grants for nonprofit, tax-exempt housing providers.
(4) Other significant initiatives and resources supporting and encouraging the availability of affordable housing in North Carolina.

(k) The role of North Carolina in global affairs, including the areas of international business, tourism, cultural affairs, and educational affairs, and including the need for long-term, strategic planning in these areas (S.B. 1471 – Plexico).

(l) Department of Environment, Health, and Natural Resources.—The study may consider:

(1) Reorganization of the Department of Environment, Health, and Natural Resources.
(2) Duplication in or inconsistencies between State and federal environment regulations.
(3) Alternative permitting and compliance mechanisms.
(4) Other issues relating to the administration and enforcement of State and federal environmental laws, regulations, policies, and programs.";

and on page 2, line 34, by inserting the following sentence after the phrase "State's minimum wage.": "If this study is undertaken, the Commissioner of Labor shall be a nonvoting, ex officio member of the committee assigned this issue.";

and on page 6, line 29 through page 7, line 15 by rewriting those lines to read:

"Part VI. Reserved."

and on page 13, line 40 through page 14, line 2, by rewriting those lines as follows:

"'(a) There is created the Legislative Study Commission on Welfare Reform. The Commission shall consist of 12 members as follows:

(1) Six ~~members of the House of Representatives~~ persons appointed by the Speaker of the House of ~~Representatives; and~~ Representatives, at least three of whom shall be members of the House; and

(2) Six ~~Senators~~ persons appointed by the President *Pro Tempore* of the ~~Senate.~~ Senate, at least three of whom shall be members of the Senate.";

and on page 15, line 15, by rewriting that line to read: "the rates set forth in ~~G.S. 120-3.1.~~ G.S. 120-3.1, 138-5, or 138-6, as appropriate.";

and on page 15, lines 32-33 by rewriting those lines to read:

"(b) Subsection (b) of Section 23.8B of Chapter 507 of the 1995 Session Laws is repealed.

(c) From funds appropriated to the General Assembly, the Legislative Services Commission may allocate funds for the expenses of the Legislative Study Commission on Welfare Reform under this Part.";

and on page 13, lines 29-32, by rewriting those lines to read:

"Sec. 16.6. Any unencumbered and unexpended funds appropriated to the North Carolina Health Care Reform Commission shall revert to the General Fund.

Sec. 16.7. This Part becomes effective January 1, 1997."

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved report: August 2, 1996.

S/Tony Rand	S/Richard T. Morgan
S/David Hoyle	S/Lyons Gray
S/Patrick J. Ballantine	S/Arlene C. Pulley
	S/James W. Crawford, Jr.
Conferees for the Senate	*Conferees for the House of Representatives*

On motion of Senator Rand, the Conference Report is adopted (33-1) changing the title and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

The Chair extends courtesies of the floor to the family of Senator Hartsell: Tana Hartsell his wife, and their children, Lee, Whitney, and Alice.

ENROLLED BILLS

The Enrolling Clerk reports the following bills properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

H.B. 36, an act to enable the County of Lincoln and the City of Lincolnton to establish an Airport Authority for the maintenance of airport facilities in the County. (Ch. 10)

H.B. 56 (Committee Substitute), an act to allow Hyde, Jones, New Hanover, Pitt, and Surry Counties to acquire property for use by their County Boards of Education. (Ch. 11)

H.B. 20 (Committee Substitute), an act to reactivate the Charter of the Town of Wilson's Mills in Johnston County, and to allow deannexation of an area by the Town of Four Oaks. (Ch. 12)

H.B. 18 (Senate Committee Substitute), an act to reduce taxes for the citizens of North Carolina and to provide incentives for high quality jobs and business expansion in North Carolina. (Ch. 13)

S.B. 6 (House Committee Substitute), an act to provide tax reform and tax relief for the citizens of North Carolina by repealing the unconstitutional corporate tax credit for North Carolina wine, repealing the unconstitutional corporate tax deduction for North Carolina dividends, repealing the unconstitutional individual income tax credit for North Carolina dividends, revising the unconstitutional tax credit for qualified business investments, clarifying the tax treatment of refunds of unconstitutional taxes, clarifying the sales and use tax treatment of items given away by merchants, providing the Secretary of Revenue authority to improve use tax collection, exempting from sales and use tax inventory that is donated by a merchant to a charitable nonprofit organization, and repealing most State privilege license taxes. (Ch. 14)

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

S.B. 46
(House Committee Substitute)

House of Representatives
August 2, 1996

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **SB 46**, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMISSIONS, TO DIRECT STATE AGENCIES AND LEGISLATIVE OVERSIGHT COMMITTEES AND COMMISSIONS TO STUDY SPECIFIED ISSUES, TO ABOLISH THE HEALTH CARE REFORM COMMISSION, AND TO AMEND THE LAWS GOVERNING CORPORATE REINSTATEMENT AFTER DISSOLUTION, to the end that when a similar action has been taken on

on the part of the Senate, you may order the bill enrolled.

Respectfully,
S/Denise G. Weeks
S/sw
Principal Clerk

The President orders the House Committee Substitute bill, which changes the title, enrolled.

On motion of Senator Basnight, seconded by Senator McKoy, the Senate adjourns at 6:40 P.M. to meet tomorrow, Saturday, August 3, at 8:00 A.M.

TWENTIETH DAY

SENATE CHAMBER
Saturday, August 3, 1996.

The Senate meets pursuant to adjournment and is called to order by the Honorable Dennis A. Wicker, Lieutenant Governor.

Led by the Lieutenant Governor, Members and guests stand and pray "The Lord's Prayer."

With unanimous consent, the President grants leaves of absence for today to Senator Blackmon for business; to Senator Carpenter who is out of the State; to Senator Edwards; to Senator Gulley; to Senator Parnell who is out of the country; to Senator Smith for medical reasons; to Senator Winner, and to the Reading Clerk, Leroy Clark.

Senator Basnight, President *Pro Tempore*, announces the Journal of yesterday, Friday, August 2, has been examined and is found to be correct. On his motion, the Senate dispenses with the reading of the Journal and it stands approved as written.

ENROLLED BILLS

The Enrolling Clerk reports the following bills properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

H.B. 61 (Senate Committee Substitute), an act to appoint persons to public office upon the recommendation of the Speaker of the House of Representatives. (Ch. 15)

S.B. 9, an act to authorize the Pender County Board of Education to convey certain property at private sale to the Maple Hill Civic Club, Inc., a nonprofit corporation. (Ch. 16)

S.B. 46 (House Committee Substitute), an act to authorize studies by the Legislative Research Commission, to create and continue various commissions, to direct State agencies and Legislative oversight committees and commissions to study specified issues, to abolish the Health Care Reform Commission, and to amend the laws governing corporate reinstatement after dissolution. (Ch. 17)

CONFERENCE REPORT

H.B. 53 (Senate Committee Substitute)

Senator Plyler, for the Conferees appointed to the Conferees appointed to consider the differences arising between the Senate and the House of Representatives upon **H.B. 53**, a bill to amend the budget and to appropriate funds for public education and for salary increases for teachers and State employees, which Senate Committee Substitute bill proposes to change the title, upon concurrence, to read **H.B. 53** (Senate Committee Substitute), a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, and to make other changes in the budget operation of the State, submits the following report for adoption:

To: The President of the Senate
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 53, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHNAGES IN THE BUDGET OPERATIONS OF THE STATE, Senate Appropriations Committee Substitute Third Edition Engrossed 7/16/96, submit the following report:

The House of Representatives and the Senate agree to the following amendment to the Senate Appropriations Committee Substitute Third Edition Engrossed 7/16/96, and the House concurs in the Senate Appropriations Committee Substitute Third Edition Engrossed 7/16/96, as amended:

Delete the entire Senate Appropriations Committee Substitute Third Edition Engrossed 7/16/96, and substitute the attached Proposed Conference Committee Substitute H53–PCCS–4294.

The conferees recommend that the Senate and House of Representatives adopt this report.

Date conferees approved report: August 2 1996.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date conferees approved the report: August 2, 1996.

S/Aaron W. Plyler
S/Beverly M. Perdue
S/T.L. Odom
S/Anthony E. Rand
S/Frank W. Ballance, Jr.
S/Ed N. Warren
S/William N. Martin
S/J.K. Sherron, Jr.
S/John H. Kerr III
S/J. Richard Conder
S/J. Clark Plexico
S/Leslie Winner
S/David Hoyle
S/Roy A. Cooper III
Wib Gulley
S/Jeanne H. Lucas
S/Luther H. Jordan, Jr.
S/Fletcher L. Hartsell, Jr.
S/Teena S. Little
S/R.L. Martin

Conferees for the Senate

S/George M. Holmes
S/Theresa H. Esposito
S/Billy J. Creech
S/N. Leo Daughtry
S/Carolyn B. Russell
S/Joanne Bowie
S/Robert Grady
S/Jean R. Preston
S/John H. Weatherly
S/Frank Mitchell
S/Gregg Thompson
S/Larry T. Justus
S/Charlotte A. Gardner
J. Shawn Lemmond
S/William M. Ives
S/Edd Nye
S/James W. Crawford
S/F. M. Cummings
S/Joe Kiser
S/Richard T. Morgan
S/Gene G. Arnold
Constance K. Wilson
S/Lyons Gray

Conferees for the House of Representatives

The text of the attached proposed Conference Committee Substitute bill 4294, is as follows:

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.

The General Assembly of North Carolina enacts:

PART 1. INTRODUCTION AND TITLE OF ACT

INTRODUCTION

Section 1. The appropriations made in this act are for maximum amounts necessary to provide the services and accomplish the purposes described in the budget. Savings shall be effected where the total amounts appropriated are not required to perform these services and accomplish these purposes and, except as allowed by the Executive Budget Act, or this act, the savings shall revert to the appropriate fund at the end of each fiscal year.

TITLE OF ACT

Sec. 1.1. This act shall be known as the Current Operations Appropriations Act of 1996.

PART 2. GENERAL FUND APPROPRIATIONS

CURRENT OPERATIONS/GENERAL FUND

Sec. 2. Appropriations from the General Fund of the State for the maintenance of the State departments, institutions, and agencies, and for other purposes as enumerated are made for the biennium ending June 30, 1997, according to the schedule that follows. Amounts set out in brackets are reductions from General Fund appropriations for the 1996–97 fiscal year.

Current Operations – General Fund	1996–97
General Assembly	$(225,000)
Judicial Department	7,895,957
Office of the Governor	
01. Office of the Governor	(31,388)
02. Office of State Budget and Management	(37,689)
03. Office of State Planning	(5,000)
04. Housing Finance Agency	3,500,000
Department of Secretary of State	437,048
Department of State Treasurer	2,200,000
Department of Public Education	98,021,116
Department of Justice	1,260,151
Department of Administration	(270,049)
Department of Agriculture	972,020
Department of Labor	419,183
Department of Insurance	1,895,364
Department of Environment, Health, and Natural Resources	21,490,126
Office of Administrative Hearings	262,754
Department of Human Resources	
01. Office of the Secretary	795,466
02. Division of Aging	5,150,231
03. Division of Child Development	8,804,765
04. Division of Services for the Deaf and Hard of Hearing	(148,984)
05. Division of Social Services	(5,462,841)
06. Division of Medical Assistance	(13,609,703)
07. Division of Services for the Blind	(36,419)
08. Division of Mental Health, Developmental Disabilities, and Substance Abuse Services	(5,596,205)
09. Division of Facility Services	431,977
10. Division of Vocational Rehabilitation Services	978,310
11. Division of Youth Services	184,566
Total Department of Human Resources	(8,508,837)
Department of Correction	(37,214,282)
Department of Commerce	
01. Commerce	11,353,334
02. MCNC	(14,000,000)
03. Rural Economic Development Center	2,700,000
04. Biotechnology Center	1,000,000

Department of Revenue	1,793,876
Department of State Auditor	175,000
Department of Cultural Resources	3,466,303
Department of Crime Control and Public Safety	738,944
Office of the State Controller	8,935,985
University of North Carolina – Board of Governors	
01. General Administration	13,000,000
02. University Institutional Programs	29,904,337
03. Related Educational Programs	3,880,160
04. University of North Carolina at Chapel Hill	
a. Academic Affairs	(422,425)
b. Health Affairs	(29,424)
05. North Carolina State University at Raleigh	
a. Academic Affairs	(246,316)
06. University of North Carolina at Greensboro	(114,556)
07. University of North Carolina at Charlotte	(5,000)
08. University of North Carolina at Asheville	(4,500)
09. North Carolina Agricultural and Technical State University	(438,523)
10. Western Carolina University	(91,286)
11. Appalachian State University	(203,487)
12. University of North Carolina at Pembroke	(3,190)
13. Winston–Salem State University	(500)
14. Elizabeth City State University	(125,503)
15. Fayetteville State University	(9,000)
16. North Carolina Central University	(67,779)
17. North Carolina School of the Arts	(317,543)
18. North Carolina School of Science and Mathematics	(28,036)
19. UNC Hospitals at Chapel Hill	(20,000,000)
Total University of North Carolina – Board of Governors	24,677,429
Department of Community Colleges	20,795,894
State Board of Elections	175,000
Debt Service	(9,000,000)
Salary Adjustment Fund	1,500,000
Reserve for Compensation Increase	267,546,807
Reserve for Military Affairs	200,000
Reduction in Postage	(300,000)
Retirement Rate Adjustment	(325,600)
Criminal Justice Information System	400,000
Reserve for Structured Sentencing	1,433,800
GRAND TOTAL CURRENT OPERATIONS — GENERAL FUND	$415,328,246

PART 3. CURRENT OPERATIONS/HIGHWAY FUND

Sec. 3. Appropriations from the Highway Fund of the State for the maintenance and operation of the Department of Transportation, and for other purposes as enumerated, are made for the biennium ending June 30, 1997, according to the following schedule:

Current Operations/Highway Fund	1996–97
Department of Transportation	
01. Administration	$ 960,000
02. Construction and Maintenance	2,206,000
03. Division of Motor Vehicles	1,894,190
04. Reserve for Salary Increases	14,008,494
GRAND TOTAL CURRENT OPERATIONS/HIGHWAY FUND	$19,068,684

CURRENT OPERATIONS/HIGHWAY FUND – NONRECURRING APPROPRIATIONS

Sec. 3.1. Appropriations are made from the Highway Fund of the 1996–97 fiscal year for use by the Department of Transportation, and for other purposes to provide for one–time expenditures according to the following schedule:

Current Operations/Highway Fund – Nonrecurring	1996–97
Department of Transportation	
01. Administration	$2,781,145
02. Construction and maintenance	
(a) State Maintenance	
(01) Contract Resurfacing	6,748,423
03. Division of Motor Vehicles	1,296,716
04. Reserve for Capital Projects	1,958,126
05. Reserve for Rail Travel Enhancement	1,700,000
Department of Crime Control and Public Safety	3,288,000
Reserve for Salary Increases	851,906
GRAND TOTAL CURRENT OPERATIONS/ HIGHWAY FUND – NONRECURRING	$18,624,316

PART 4. HIGHWAY TRUST FUND

Sec. 4. In addition to the appropriations made by Section 4 of Chapter 324 of the 1995 Session Laws, appropriations from the Highway Trust Fund are made for the 1996–97 fiscal year as follows:

01. Intrastate System	$8,569,105
02. Secondary Roads Construction	612,813
03. Urban Loops	3,464,990
04. State Aid – Municipalities	899,099
05. Program Administration	271,993
06. Transfer to General Fund	–
GRAND TOTAL/HIGHWAY TRUST FUND	$13,818,000

PART 5. GENERAL FUND AVAILABILITY STATEMENTS

Requested by: Senators Plyler, Perdue, Odom

BUDGET REFORM STATEMENTS

Sec. 5. The General Fund and availability used in developing the 1996–97 budget is as shown below:

		($ Million)
(1) Composition of the 1996–97 beginning availability:		
a. Revenue collections in 1995–96 authorized but not appropriated by the 1995 General Assembly		$183.8
b. Revenue collections in 1995–96 in excess of authorized estimates		320.6
c. Estimated unexpended appropriations for 1995–96 (reversions)		220.0
1995–96 Ending Credit Balance		$724.4
d. Plus: Reserved 1994–95 Disproportionate Share Funds		1.6
e. Less: Transfer to Savings Reserve Account		77.4
f. Less: Transfer to Reserve for Repair and Renovations		130.0
g. Less: Transfer to Clean Water Management Trust Fund		47.1
h. Transfer to Capital Improvement Reserve		39.5
i. Transfer to Federal Retiree Refund Account		26.2
(2) Beginning Unrestricted Fund Balance, July 1, 1996		$405.8
(3) Authorizations by the 1995 General Assembly for 1996–97:		
a. Revenue collections left unaddressed	242.1	
b. 1996–97 capital authorizations	–47.8	194.3
(4) Projected revenue collections above 1995 Session estimates under existing tax structure		109.4
(5) Disproportionate Share Revenue Estimates lowered		–15.7
(6) Non–tax Revenue		
a. Increase Court Fees	4.2	
b. Local Sales Tax—Local Government Commission	1.2	5.4
(7) Reserve for Tax Reductions and Federal Retiree Refunds/Credits		–85.2
TOTAL AVAILABILITY		$614.0

Requested by: Representatives Gardner, Hayes, Senator Martin of Guilford

DISPOSITION OF DISPROPORTIONATE SHARE RECEIPTS CLARIFICATION

Sec. 5.2. Section 6.8 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 6.8. For the 1995–97 fiscal biennium, as it receives funds associated with Disproportionate Share Payments from the State ~~psychiatric~~ hospitals, the Division of Medical Assistance shall deposit funds appropriated for the Medicaid program in a sum equal to the federal share of the Disproportionate Share Payments as nontax revenue. Any of these funds that are not appropriated by the General Assembly shall be reserved by the State Controller for future appropriation."

Requested by: Representatives Holmes, Creech, Esposito,
Senators Perdue, Plyler, Odom

EXPENDITURE OF FUNDS FROM RESERVE FOR REPAIRS AND RENOVATIONS

Sec. 5.3. (a) Of the funds in the Reserve for Repairs and Renovations for the 1996–97 fiscal year, forty–six percent (46%), shall be allocated to the Board of Governors of The University of North Carolina for repairs and renovations pursuant to G.S.143–15.3A, in accordance with guidelines developed in The University of North Carolina Funding Allocation Model for Reserve for Repairs and Renovations, as approved by the Board of Governors of The University of North Carolina; and fifty–four percent (54%) shall be allocated to the Office of State Budget and Management for repairs and renovations pursuant to G.S. 143–15.3A.

Notwithstanding G.S. 143–15.3A, the Board of Governors may allocate funds for the repair and renovation of facilities not supported from the General Fund if the Board determines that sufficient funds are not available from other sources and that conditions warrant General Fund assistance. Any such finding shall be included in the Board's submission to the Joint Legislative Commission on Governmental Operations on the proposed location of funds.

The Board of Governors and the Office of State Budget and Management shall submit to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division of the Legislative Services Office, for their review, the proposed allocation of these funds. Subsequent changes in the proposed allocations shall be reported prior to expenditure to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division of the Legislative Services Office.

(b) Funds earmarked in the 1995–96 fiscal year for the Repairs and Renovations Reserve but not appropriated are hereby appropriated. The Office of State Budget and Management may allocate these funds for land acquisition, matching federal funds, State grants, and grants–in–aid.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

USE OF FUNDS FROM REPAIRS AND RENOVATIONS RESERVE ACCOUNT/ REPORT TO GOVERNMENTAL OPERATIONS

Sec. 5.4. Notwithstanding G.S. 143–16.3, funds from the Repairs and Renovations Reserve Account may be used for purposes consistent with G.S. 143–15.3A and reported to the Joint Legislative Commission on Governmental Operations.

PART 6. BLOCK GRANT APPROPRIATIONS

Requested by: Representatives Holmes, Creech, Esposito, Gardner, Nye, Russell,
Senators Plyler, Perdue, Odom, Martin of Guilford, Lucas

DHR BLOCK GRANT PROVISIONS

Sec. 6. (a) Appropriations from federal block grant funds are made for the fiscal year ending June 30, 1997, according to the following schedule:

COMMUNITY SERVICES BLOCK GRANT

01.	Community Action Agencies	$9,198,794
02.	Limited Purpose Agencies	511,044

03.	Department of Human Resources to administer and monitor the activities of the Community Services Block Grant	511,044
TOTAL COMMUNITY SERVICES BLOCK GRANT		$10,220,882
SOCIAL SERVICES BLOCK GRANT		
01.	County Departments of Social Services	$ 30,395,663
02.	Allocation for In–Home Services provided by County Departments of Social Services	2,101,113
03.	Division of Mental Health, Developmental Disabilities, and Substance Abuse Services	4,764,124
04.	Division of Services for the Blind	3,205,711
05.	Division of Youth Services	950,674
06.	Division of Facility Services	343,341
07.	Division of Aging – Home and Community Care Block Grant	1,915,234
08.	Day Care Services	15,694,900
09.	Division of Vocational Rehabilitation – United Cerebral Palsy	71,484
10.	State Administration	1,954,237
11.	Child Medical Evaluation Program	238,321
12.	Adult Day Care Services	599,551
13.	County Departments of Social Services for Child Abuse/Prevention and Permanency Planning	394,841
14.	Transfer to Preventive Health Block Grant for Emergency Medical Services	213,128
15.	Allocation to Preventive Health Block Grant for AIDS Education, Counseling and Testing	66,939
16.	Transfer to Department of Administration for the N.C. Commission of Indian Affairs In Home Services Program for the elderly	203,198
17.	Division of Vocational Rehabilitation–Easter Seals Society	116,779
18.	UNC–CH CARES Program for training and consultation services	247,920
19.	Transfer to Department of Environment, Health and Natural Resources for the Adolescent Pregnancy Prevention Program	239,261
20.	Office of the Secretary – Office of Economic Opportunity for N.C. Senior Citizens' Federation for outreach services to low–income elderly persons	41,302
TOTAL SOCIAL SERVICES BLOCK GRANT		$63,757,721
LOW INCOME ENERGY BLOCK GRANT		
01.	Energy Assistance Programs	$5,216,233
02.	Crisis Intervention	5,709,258
03.	Administration	1,275,611
04.	Weatherization Program	4,078,042
05.	Indian Affairs	33,022
TOTAL LOW INCOME ENERGY BLOCK GRANT		$16,312,166

MENTAL HEALTH SERVICES BLOCK GRANT	
01. Provision of Community–Based Services in accordance with the Mental Health Study Commission's Adult Severe and Persistently Mentally Ill Plan	$3,794,179
02. Provision of Community–Based Services in accordance with the Mental Health Study Commission's Child Mental Health Plan	1,802,819
03. Administration	572,897
TOTAL MENTAL HEALTH SERVICES BLOCK GRANT	$6,169,895
BLOCK GRANT FOR THE PREVENTION AND TREATMENT OF SUBSTANCE ABUSE	
01. Provision of Community–Based Alcohol and Drug Abuse Services, Tuberculosis Services, and Services provided by the Alcohol, Drug Abuse Treatment Centers	$10,935,939
02. Continuation of Services for Pregnant Women and Women with Dependent Children	5,060,076
03. Continuation and Expansion of Services to IV Drug Abusers and others at risk for HIV diseases	4,836,407
04. Provision of services in accordance with the Mental Health Study Commission's Child and Adolescent Alcohol and other Drug Abuse Plan	5,964,093
05. Administration	1,841,742
TOTAL BLOCK GRANT FOR PREVENTION AND TREATMENT OF SUBSTANCE ABUSE	$28,638,257
CHILD CARE AND DEVELOPMENT BLOCK GRANT	
01. Child Day Care Services	$17,826,641
02. Administrative Expenses and Quality and Availability Initiatives	1,980,738
03. Before and After School Child Care Programs and Early Childhood Development Programs	4,951,845
04. Quality Improvement Activities	1,650,614
TOTAL CHILD CARE AND DEVELOPMENT BLOCK GRANT	$26,409,838

(b) Decreases in Federal Fund Availability

If federal funds are reduced below the amounts specified above after the effective date of this act, then every program in each of the federal block grants listed above, shall be reduced equally to total the reduction in federal funds.

(c) Increases in Federal Fund Availability

Any block grant funds appropriated by the United States Congress in addition to the funds specified in this act shall be expended by the Department of Human Resources, with the approval of the Office of State Budget and Management, provided the resultant increases are in accordance with federal block grant requirements and are within the scope of the block grant plan approved by the General Assembly. All these budgeted increases shall be reported to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division.

This subsection shall not apply to Job Training Partnership Act funds.

(d) If funds appropriated through the Child Care and Development Block Grant for any program cannot be obligated or spent in that program within the obligation or liquidation periods allowed by the federal grants, the Department may move funds to other programs, in accordance with the federal requirements of the grant, in order to use the federal funds fully.

(e) The Division of Vocational Rehabilitation shall evaluate the services currently provided by the United Cerebral Palsy contract and shall report any recommended changes in this funding allocation for the 1997–1998 Social Services Block Grant to the 1997 General Assembly and to the Fiscal Research Division.

(f) Of the funds appropriated in the Low Income Energy Block Grant for the Weatherization Program, one million six hundred thirty–one thousand two hundred eighteen dollars ($1,631,218) are contingent upon approval of a federal waiver. In the event this waiver is not approved these funds shall be transferred to the Crisis Intervention Program.

(g) The Department shall explore and report by April of 1997, on the use of private nonprofit organizations for the administration of Low Income Energy Block Grant funds for Crisis Intervention.

NER BLOCK GRANT FUNDS

Sec. 6.1 (a) Appropriations from federal block grant funds are made for the fiscal year ending June 30, 1997, according to the following schedule:

COMMUNITY DEVELOPMENT BLOCK GRANT	
01. State Administration	$1,000,000
02. Urgent Needs and Contingency	2,177,500
03. Community Empowerment	2,613,000
04. Economic Development	8,710,000
05. Community Revitalization	29,178,500
06. State Technical Assistance	450,000
07. Housing Development	871,000
TOTAL COMMUNITY DEVELOPMENT BLOCK GRANT – 1997 Program Year	$45,000,000
TOTAL JOB TRAINING PARTNERSHIP ACT	$35,796,741
MATERNAL AND CHILD HEALTH BLOCK GRANT	
01. Healthy Mother/Healthy Children Block Grants to Local Health Departments	$9,838,074
02. High Risk Maternity Clinic Services, Perinatal Education and Training, SIDS, and Consultation/Technical Assistance	1,810,112
03. Services to Children With Special Health Care Needs	5,065,331
TOTAL MATERNAL AND CHILD HEALTH BLOCK GRANT	$16,713,517
PREVENTIVE HEALTH SERVICES BLOCK GRANT	
01. Emergency Medical Services	$213,128
02. Hypertension Programs	711,813
03. Statewide Health Promotion Programs	2,568,940
04. Dental Health for Fluoridation of Water Supplies	210,269

05.	Rape Prevention and Rape Crisis Programs	187,110
06.	Rape Prevention and Rape Education	1,335,126
07.	AIDS/HIV Education, Counseling, and Testing	66,939
08.	Office of Minority Health and Minority Health Council	174,915
09.	Administrative and Indirect Cost	199,048
TOTAL PREVENTIVE HEALTH SERVICES BLOCK GRANT		$5,667,288

(b) Decreases in Federal Fund Availability

For JTPA and Community Development Block Grants: If federal funds are reduced below the amounts specified above after the effective date of this act, then every program in each of these federal block grants shall be reduced by the same percentage as the reduction in federal funds.

For the Maternal and Child Health Services and Preventive Health Services federal block grants: If federal funds are reduced less than ten percent (10%) below the amounts specified above after the effective date of this act, then every program in the Maternal and Child Health Services and in the Preventive Health Services block grants shall be reduced by the same percentage as the reduction in federal funds. If federal funds are reduced by ten percent (10%) or more below the amounts specified above after the effective date of this act, then for the Maternal and Child Health Services and the Preventive Health Services block grants the Department of Environment, Health, and Natural Resources shall allocate the decrease in funds after considering the effectiveness of the current level of services.

(c) Increases in Federal Fund Availability

Any block grant funds appropriated by the Congress of the United States in addition to the funds specified in this act shall be expended as follows:

(1) For the Community Development Block Grant — Each program category under the Community Development Block Grant shall be increased by the same percentage as the increase in federal funds.

(2) For the Maternal and Child Health Services Block Grant — Thirty percent (30%) of these additional funds shall be allocated to services for children with special health care needs and seventy percent (70%) shall be allocated to local health departments to assist in the reduction of infant mortality.

(3) For the Preventive Health Block Grants — If federal funds are increased by ten percent (10%) or more, then the Department shall allocate the increase in funds after considering the effectiveness of the current level of services and the effectiveness of services to be funded by the increase. If federal funds are increased by less than ten percent (10%), then these additional funds may be budgeted by the appropriate department, with the approval of the Office of State Budget and Management, provided the resultant increases are in accordance with federal block grant requirements and are within the scope of the block grant plan approved by the General Assembly.

(d) Changes to budgeted allocations to the Maternal and Child Health Services and the Preventive Health Services block grants due to increases or decreases in federal funds shall be reported to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division within 30 days of the allocation. All other increases shall be reported to the Joint Legislative

Commission on Governmental Operations and to the Director of the Fiscal Research Division.

(e) Education Setaside of JTPA Funds

The Department of Commerce shall certify to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division of the Legislative Services Office when Job Training Partnership Act funds have been distributed to each agency, the total amount distributed to each agency, and the total amount of eight percent (8%) Education Setaside funds received.

(f) Limitations on Community Development Block Grant Funds

Of the funds appropriated in this section for the Community Development Block Grant, the following shall be allocated in each category for each program year: up to one million dollars ($1,000,000) may be used for State administration; up to two million one hundred seventy–seven thousand five hundred dollars ($2,177,500) may be used for Urgent Needs and Contingency; up to two million six hundred thirteen thousand dollars ($2,613,000) may be used for Community Empowerment; up to eight million seven hundred ten thousand dollars ($8,710,000) may be used for Economic Development; not less than twenty–nine million one hundred seventy–eight thousand five hundred dollars ($29,178,500) shall be used for Community Revitalization; up to four hundred fifty thousand dollars ($450,000) may be used for State Technical Assistance; up to eight hundred seventy–one thousand dollars ($871,000) may be used for Housing Development. If federal block grant funds are reduced or increased by the Congress of the United States after the effective date of this act, then these reductions or increases shall be allocated in accordance with subsection (b) or (c) of this section, as applicable.

PART 7. GENERAL PROVISIONS

Requested by: Senators Plyler, Perdue, Odom,
Representatives Holmes, Creech, Esposito

REPAIRS RESERVE ACCOUNT CHANGES

Sec. 7.1. (a) G.S. 143–15.2 reads as rewritten:

"**§ 143–15.2. Use of General Fund credit balance.**

The State Controller shall reserve up to one–fourth of any unreserved credit balance, as determined on a cash basis, remaining in the General Fund at the end of each fiscal year to the Savings Reserve Account as provided in G.S. 143–15.3, unless that would result in the Savings Reserve Account having funds in excess of five percent (5%) of the amount appropriated the preceding year for the General Fund operating budget, including local government tax–sharing ~~funds;~~ funds if directly appropriated; in that case, only funds sufficient to reach the five percent (5%) level shall be reserved. The State Controller shall also reserve ~~the greater of (i) one–fourth of any~~ from the unreserved credit balance, as determined on a cash basis, remaining in the General Fund ~~and (ii)~~ three percent (3%) of the replacement value of all State buildings supported from the General Fund, at the end of each fiscal year to the Repairs and Renovations Reserve Account as provided in G.S. 143–15.3A. The General Assembly may appropriate that part of the anticipated General Fund credit balance not expected to be reserved to the Savings Reserve Account or the Repairs and Renovations Reserve Account only for capital improvements or other one–time expenditures. As used in this section, the term 'unreserved credit balance' means the credit balance amount, as determined on a cash basis, before funds are reserved by the Controller to the Savings

Reserve Account or the Repairs and Renovations Reserve Account pursuant to G.S. 143–15.3 and G.S. 143–15.3A."

(b) G.S. 143–15.3A(a) reads as rewritten:

"(a) There is established a Repairs and Renovations Reserve Account as a restricted reserve in the General Fund. The State Controller shall reserve to the Repairs and Renovations Reserve Account ~~the greater of (i) one-fourth of any unreserved credit balance as determined on a cash basis, remaining in the General Fund and (ii)~~ three percent (3%) of the replacement value of all State buildings supported from the General Fund, at the end of each fiscal year. As used in this section, the term 'unreserved credit balance' means the credit balance amount, as determined on a cash basis, before funds are reserved by the Controller to the Savings Reserve Account or the Repairs and Renovations Reserve Account pursuant to this section and G.S. 143–15.3."

(c) This section is effective June 30, 1996.

Requested by: Senator Odom

WESTERN CAROLINA CENTER FUNDS

Sec. 7.2. Of the funds allocated in Section 5.3 of this act to the Office of State Budget and Management from the Repairs and Renovations Fund, up to three hundred thirty-nine thousand three hundred fifty-seven dollars ($339,357) may be used for Phase II Retrofit to install a freestanding boiler at the Western Carolina Center.

Requested by: Senators Plyler, Perdue, Odom

FUNDS FOR ASBESTOS REMOVAL/FIRE SAFETY

Sec. 7.3. Of the funds allocated in Section 5.3 of this act to the Board of Governors of The University of North Carolina from the Repairs and Renovations Reserve Fund, at least four million dollars ($4,000,000) shall be used for projects related to asbestos removal or fire safety.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

CHANGES IN THE EXECUTION OF THE BUDGET

Sec. 7.4. (a) G.S. 120–76 is amended by adding a new subdivision to read:

"(8) The Joint Legislative Commission on Governmental Operations shall be consulted by the Governor before the Governor does any of the following:

a. Makes allocations from the Contingency and Emergency Fund.

b. Authorizes expenditures in excess of the total requirements of a program as enacted by the General Assembly, except for trust funds as defined in G.S. 116–36.1(g).

c. Proceeds to reduce programs subsequent to a reduction of ten percent (10%) or more in the federal fund level certified to a department and any subsequent changes in distribution formulas.

d. Takes extraordinary measures under Article III, Section 5(3) of the Constitution to effect necessary economies in State expenditures required for balancing the budget due to a revenue shortfall, including, but not limited to, the following: loans among funds, personnel freezes or layoffs, capital project reversions, program eliminations, and use of reserves. However, if the Committee fails to meet within 10 calendar days of a request by the Governor for its consultation, the Governor may proceed to

take the actions he feels are appropriate and necessary and shall then report those actions at the next meeting of the Commission.

e. Approves a new capital improvement project funded from gifts, grants, receipts, special funds, self–liquidating indebtedness, and other funds or any combination of funds for the project not specifically authorized by the General Assembly. The budget for each capital project must include projected revenues in an amount not less than projected expenditures.

Notwithstanding the provisions of this subdivision or any other provision of law requiring prior consultation by the Governor with the Commission, whenever an expenditure is required because of an emergency that poses an imminent threat to public health or public safety, and is either the result of a natural event, such as a hurricane or a flood, or an accident, such as an explosion or a wreck, the Governor may take action under this subsection without consulting the Commission if the action is determined by the Governor to be related to the emergency. The Governor shall report to the Commission on any expenditures made under this paragraph no later than 30 days after making the expenditure and shall identify in the report the emergency, the type of action taken, and how it was related to the emergency."

(b) G.S. 143–15.3A is amended by adding a new subsection to read:

"(c) The Governor shall consult with the Joint Legislative Commission on Governmental Operations before making allocations from the Repairs and Renovations Reserve Account.

Notwithstanding this subsection, whenever an expenditure is required because of an emergency that poses an imminent threat to public health or public safety, and is either the result of a natural event, such as a hurricane or a flood, or an accident, such as an explosion or a wreck, the Governor may take action under this subsection without consulting the Commission if the action is determined by the Governor to be related to the emergency. The Governor shall report to the Commission on any expenditures made under this paragraph no later than 30 days after making the expenditure and shall identify in the report the emergency, the type of action taken, and how it was related to the emergency."

(c) G.S. 143–12 reads as rewritten:

"**§ 143–12. Bills containing proposed appropriations.**

(a) The Director shall cause to be prepared and submitted to the General Assembly the following bills:

(1) A bill containing all proposed current operations appropriations of the budget for each year in the ensuing biennium, which shall be known as the 'Current Operations Appropriations Bill', and a bill containing all proposed capital appropriations of the budget for each year in the ensuing biennium, which shall be known as the 'Capital Improvement Appropriations Bill'.

(2) If necessary, a bill containing the Director of the Budget's views on revenue for the ensuing biennium, which shall be known as the 'Budget Revenue Bill', and shall provide an amount of revenue for the ensuing biennium sufficient, in the opinion of the Director and the Commission, to meet the appropriations contained in the Current Operations Appropriations Bill and the Capital Improvement Appropriations Bill.

(3) Repealed by Session Laws 1983 (Regular Session, 1984), c. 1034, s. 153.

(b) To the end that all expenses of the State may be brought and kept within the budget, the Current Operations Appropriations Bill shall contain a specific sum as a contingent or emergency appropriation, and shall allocate a specific portion of that sum to a special reserve to be used solely for purposes as outlined in ~~G.S. 143-23(a1)(3), (4), and (5). The~~ G.S. 143-23(a1)(2). Notwithstanding any other provision of law, the manner of the allocation of such contingent or emergency appropriation shall be as follows: Any institution, department, commission, or other agency or activity of the State, or other activity in which the State is interested, desiring an allotment out of such contingent or emergency appropriation, shall upon forms prescribed and furnished by the Director of the Budget, present such request in writing to the Director of the Budget, with such information as he may require, and if the Director of the Budget shall approve such request, in whole or in part, and after consulting with the Joint Legislative Commission on Governmental Operations, he shall forthwith present the same to the Governor and Council of State, and upon their order only shall such allotment be made. If the Director shall disapprove the request of such an allotment out of the emergency or contingent appropriation, he shall transmit his refusal and his reason therefor to the Governor and Council of State, for their information.

Funds allocated from the contingent or emergency appropriation may be used only for the purpose for which they were allocated and may not be reallocated for another purpose by the Governor. If the funds are not spent or encumbered for the purpose for which they were allocated by the end of the fiscal biennium and if the Governor and the Council of State do not reallocate them for that same purpose, the funds shall revert to the fund from which the contingent or emergency appropriation was made. Also, if the funds are not needed for the purpose for which they were allocated, the funds shall revert to the fund from which the contingent or emergency appropriation was made.

(c) The Director of the Budget may, in preparation of the Appropriations and Revenue Bills, seek the advice of the Advisory Budget Commission. If the Director and the Commission shall not agree as to the Appropriations and Revenue Bills in substantial particulars, the Director shall prepare the same, based on his conclusions and judgment, and the Commission or any of its members retain the right to submit separately to the General Assembly such statement of disagreement and the particulars thereof as they shall find proper to submit as representing their own views."

(d) G.S. 143-15.3A(b) reads as rewritten:

"(b) The funds in the Repairs and Renovations Reserve Account shall be used only for the repair and renovation of State facilities and related infrastructure that are supported from the General Fund. Funds from the Repairs and Renovations Reserve Account shall be used only for the following types of projects:

(1) Roof repairs and replacements;
(2) Structural repairs;
(3) Repairs and renovations to meet federal and State standards;
(4) Repairs to electrical, plumbing, and heating, ventilating, and air-conditioning systems;
(5) Improvements to meet the requirements of the Americans with Disabilities Act, 42 U.S.C. § 12101 *et seq.*, as amended;
(6) Improvements to meet fire safety needs;
(7) Improvements to existing facilities for energy efficiency;

(8) Improvements to remove asbestos, lead paint, and other contaminants, including the removal and replacement of underground storage tanks;
(9) Improvements and renovations to improve use of existing space;
(10) Historical restoration;
(11) Improvements to roads, walks, drives, utilities infrastructure; and
(12) Drainage and landscape improvements.

Funds from the Repairs and Renovations Reserve Account shall not be used for new construction or the expansion of the footprint of an existing facility unless required in order to comply with federal or State codes or standards.

The Director of the Budget shall not use funds in the Repairs and Renovations Reserve Account unless the use has been approved by an act of the General ~~Assembly.~~ Assembly or, if the General Assembly is not in session, the Director of the Budget has first consulted with the Joint Legislative Commission on Governmental Operations under G.S. 143–15.3A(c)."

(e) G.S. 143–18.1(c) reads as rewritten:

"(c) Upon the request of the administration of any State agency or institution, the Director of the Budget may accept funds by gift or grant for the construction of a capital improvement project not specifically provided for or authorized by the General Assembly. These funds shall be placed in a special reserve account to be held by the State Treasurer until the end of the biennium in which the account was established or until the capital improvement project is authorized by the Director of the Budget, whichever occurs first. These funds shall be invested and the interest thereon shall be added to the reserve. If the project is not authorized by the end of that biennium, the State Treasurer shall pay the funds accumulated in the special reserve account to the grantor or donor. Upon the establishment of a special reserve account under this section, the Director of the Budget shall notify the Speaker of the House and President of the Senate of the receipt of the funds and the existence of the reserve account. Upon the request of the administration of any State agency or institution, the Governor ~~may~~ may, under G.S. 120–76(8), authorize the construction of a capital improvement project not specifically authorized by the General Assembly if such project is to be fully funded by gifts, grants, receipts, special funds, self–liquidating indebtedness, other funds, or any combination of funds, but not including funds appropriated from the General Fund. All expenditures under this authorization shall be handled in full compliance with the provisions of the Executive Budget Act.

The agency shall support its request for such capital improvement project, or projects, with the following information: the estimated annual operating costs for (i) utilities; (ii) maintenance; (iii) repairs; (iv) additional personnel; (v) any and all other expenses to the State resulting from the addition of this facility to the plant of the institution. Prior to taking any action under this section to authorize a project, the Governor or the Director of the Budget may consult with the Advisory Budget Commission and the Capital Planning Commission."

(f) G.S. 143–23 reads as rewritten:

"**§ 143–23. All maintenance funds for itemized purposes; transfers between objects or line items.**

(a) All appropriations now or hereafter made for the maintenance of the various departments, institutions and other spending agencies of the State, are for the (i) purposes or programs and (ii) objects or line items enumerated in the itemized requirements of such departments, institutions and other spending agencies submitted to the General Assembly by the Director of the Budget and the

Advisory Budget Commission, as amended by the General Assembly. The function of the Advisory Budget Commission under this subsection applies only if the Director of the Budget consults with the Commission in preparation of the budget.

(a1) ~~No transfers may be made between objects or line items in the budget of any department, institution, or other spending agency; however, with the approval of the Director of the Budget, a department, institution, or other spending agency may spend more than was appropriated for an object or line item if the overexpenditure is:~~

~~(1) In a purpose or program for which funds were appropriated for that fiscal period and the total amount spent for the purpose or program is no more than was appropriated for the purpose or program for the fiscal period;~~

~~(2) Required to continue a purpose or program because of unforeseen events, so long as the scope of the purpose or program is not increased;~~

~~(3) Required by a court, Industrial Commission, or administrative hearing officer's order or award or to match unanticipated federal funds;~~

~~(4) Required to respond to an unanticipated disaster such as a fire, hurricane, or tornado; or~~

~~(5) Required to call out the National Guard.~~

~~The Director of the Budget shall report on a quarterly basis to the Joint Legislative Commission on Governmental Operations, the Fiscal Research Division of the Legislative Services Office, and the State Auditor the reason if the amount expended for a purpose or program is more than the amount appropriated for it from all sources. If the overexpenditure was authorized under subdivision (2) of this subsection, the Director of the Budget shall identify in the report the unforeseen event that required the overexpenditure.~~

Notwithstanding the provisions of subsection (a) of this section, a department, institution, or other spending agency may, with approval of the Director of the Budget, spend more than was appropriated for:

(1) An object or line item within a purpose or program so long as the total amount expended for the purpose or program is no more than was appropriated from all sources for the purpose or program for the fiscal period;

(2) A purpose or program, without consultation with the Joint Legislative Commission on Governmental Operations, if the overexpenditure of the purpose or program is:

a. Required by a court, Industrial Commission, or administrative hearing officer's order;

b. Required to respond to an unanticipated disaster such as a fire, hurricane, or tornado; or

c. Required to call out the National Guard.

The Director of the Budget shall report on a quarterly basis to the Joint Legislative Commission on Governmental Operations on any overexpenditures under this subdivision; or

(3) A purpose or program, after consultation with the Joint Legislative Commission on Governmental Operations in accordance with G.S. 120-76(8), and only if: (i) the overexpenditure is required to continue the purpose or programs due to complications or changes in circumstances that could not have been foreseen when the budget for the fiscal period was enacted and (ii) the scope of the purpose or

program is not increased. Total overexpenditures of a purpose or program for a fiscal year under this subdivision shall be limited to the lesser of five hundred thousand dollars ($500,000) or ten percent (10%) of the amount appropriated from all sources for the purpose or program, unless such overexpenditures are necessary to provide matching funds for federal entitlement programs.

(a2) Funds appropriated for salaries and wages are also subject to the limitation that they may only be used for:

(1) Salaries and wages or for premium pay, overtime pay, longevity, unemployment compensation, workers' compensation, temporary wages, moving expenses of employees, payment of accumulated annual leave, certain awards to employees, tort claims, and employer's social security, retirement, and hospitalization payments;

(2) Contracted personal services if (i) the contract is for temporary services or special project services, (ii) the term of the contract does not extend beyond the fiscal year, (iii) the contract does not impose obligations on the State after the end of the fiscal year; and (iv) the total of all overexpenditures for contracted personal services approved in a program for a fiscal year does not exceed the greater of five hundred thousand dollars ($500,000) or ten percent (10%) of the lapsed salary funds in the program for the fiscal year; and

(3) Uses for which overexpenditures are permitted by ~~subdivisions (3), (4), and (5)~~ subdivision (2) of subsection (a1) of this section but the Director of the Budget shall include such use and the reason for it in his ~~quarterly report to the Joint Legislative Commission on Governmental Operations, the Fiscal Research Division of the Legislative Services Office, and the State Auditor.~~ quarterly report to the Joint Legislative Commission on Governmental Operations.

Lapsed salary funds that become available from vacant positions are also subject to the limitation that they may not be used for new permanent employee positions or to raise the salary of existing employees.

~~(a3) The requirements in this section that the Director of the Budget report to the Joint Legislative Commission on Governmental Operations and the State Auditor shall not apply to expenditures of receipts by entities that are wholly receipt supported, except for entities supported by the Wildlife Resources Fund.~~

~~(a4) The State Auditor shall review the report received from the Director of the Budget to ensure that the transfer complied with the intent and the provisions of this Article and shall report the Auditor's findings to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division.~~

(b) Repealed by Session Laws 1985, c. 290, s. 8.

(c) Transfers or changes as between objects or line items in the budget of the Senate may be made by the President *Pro Tempore* of the Senate.

(d) Transfers or changes as between objects or line items in the budget of the House of Representatives may be made by the Speaker of the House of Representatives.

(e) Transfers or changes as between objects or line items in the budget of the General Assembly other than of the Senate and House of Representatives may be made jointly by the President *Pro Tempore* of the Senate and the Speaker of the House of Representatives.

(f) As used in this section:

(1) 'Object or line item' means a budgeted expenditure or receipt in the budget enacted by the General Assembly that is designated by (i) a thirteen–digit code in the 1000–object code series or (ii) an eleven–digit code in all other object code series, in accordance with the Budget Code Structure and the State Accounting System Uniform Chart of Accounts set out in the Administrative Policies and Procedures Manual of the Office of the State Controller.

(2) 'Purpose or program' means a group of objects or line items for support of a specific activity outlined in the budget adopted by the General Assembly that is designated by a nine–digit fund code in accordance with the Budget Code Structure and the State Accounting System Uniform Chart of Accounts set out in the Administrative Policies and Procedures Manual of the Office of the State Controller."

(2) For the 1996–97 fiscal year only, the Director of the Budget may deviate from the provisions of G.S. 143–23(a1)(3) that limit total overexpenditures of a purpose or program under that subdivision for a fiscal year to the lesser of five hundred thousand dollars ($500,000) or ten percent (10%) of the amount appropriated from all sources for the purpose or program, unless such overexpenditures are necessary to provide matching funds for federal entitlement programs, if:

a. The Director of the Budget finds that compliance is impossible and that deviation is necessary because of complications in the budget process that were not contemplated when the budget for the 1996–97 fiscal year was enacted; and

b. The Director of the Budget consults with the Joint Legislative Commission on Governmental Operations prior to authorizing the overexpenditure.

(g) G.S. 143–25 reads as rewritten:

"§ 143–25. Maintenance appropriations dependent upon adequacy of revenues to support them.

All maintenance appropriations now or hereafter made are hereby declared to be maximum, conditional and proportionate appropriations, the purpose being to make the appropriations payable in full in the amounts named herein if necessary and then only in the event the aggregate revenues collected and available during each fiscal year of the biennium for which such appropriations are made, are sufficient to pay all of the appropriations in full; otherwise, the said appropriations shall be deemed to be payable in such proportion as the total sum of all appropriations bears to the total amount of revenue available in each of said fiscal years. The Director of the Budget is hereby given full power and authority to examine and survey the progress of the collection of the revenue out of which such appropriations are to be made, and to declare and determine the amounts that can be, during each quarter of each of the fiscal years of the biennium properly allocated to each respective appropriation. In making such examination and survey, he shall receive estimates of the prospective collection of revenues from the Secretary of Revenue and every other revenue collecting agency of the State. The Director of the Budget may reduce all of said appropriations *pro rata* when necessary to prevent an overdraft or deficit to the fiscal period for which such appropriations are made. The Governor may also reduce all of said appropriations pursuant to Article III, Section 5(3) of the Constitution after consulting with the Joint Legislative Commission on Governmental Operations under G.S. 120–76(8)

if prior consultation is required by that section. The purpose and policy of this Article are to provide and insure that there shall be no overdraft or deficit in the general fund of the State at the end of the fiscal period, growing out of appropriations for maintenance and the Director of the Budget is directed and required to so administer this Article as to prevent any such overdraft or deficit. Prior to taking any action under this section to reduce appropriations *pro rata*, the Governor may consult with the Advisory Budget Commission."

(h)(1) Effective July 1, 1996, G.S. 143–27 reads as rewritten:

"**§ 143–27. Appropriations to educational, charitable and correctional institutions are in addition to receipts by them.**

All appropriations now or hereafter made to the educational institutions, and to the charitable and correctional institutions, and to such other departments and agencies of the State as receive moneys available for expenditure by them are declared to be in addition to such receipts of said institutions, departments or agencies, and are to be available as and to the extent that such receipts are insufficient to meet the costs anticipated in the budget authorized by the General Assembly, of maintenance of such institutions, departments, and agencies; Provided, however, that if the receipts, other than gifts and grants that are unanticipated and are for a specific purpose only, collected in a fiscal year by an institution, department, or agency exceed the receipts certified for it in General Fund Codes or Highway Fund Codes, the Director of the Budget shall decrease the amount he allots to that institution, department, or agency from appropriations from that Fund by the amount of the excess, unless the Director of the Budget has consulted with the Joint Legislative Commission on Governmental Operations and unless the Director of the Budget finds that (i) the appropriations from that Fund are necessary to maintain the function that generated the receipts at the level anticipated in the certified Budget Codes for that ~~Fund.~~ Fund and (ii) the funds may be expended in accordance with G.S. 143–23. Notwithstanding the foregoing provisions of this section, receipts within The University of North Carolina realized in excess of budgeted levels shall be available, up to a maximum of ten percent (10%) above budgeted levels, for each Budget Code, in addition to appropriations, to support the operations generating such receipts, as approved by the Director of the Budget.

The Office of State Budget and Management shall report to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division of the Legislative Services Office within 30 days after the end of each quarter on expenditures of receipts in excess of the amounts certified in General Fund Codes or Highway Fund Codes that did not result in a corresponding reduced allotment from appropriations from that Fund."

(2) Effective July 1, 1997, G.S. 143–27, as rewritten by subdivision (1) of this subsection, reads as rewritten:

"**§ 143–27. Appropriations to educational, charitable and correctional institutions are in addition to receipts by them.**

All appropriations now or hereafter made to the educational institutions, and to the charitable and correctional institutions, and to such other departments and agencies of the State as receive moneys available for expenditure by them are declared to be in addition to such receipts of said institutions, departments or agencies, and are to be available as and to the extent that such receipts are insufficient to meet the costs anticipated in the budget authorized by the General Assembly, of maintenance of such institutions, departments, and agencies; Provided, however, that if the receipts, other than gifts and grants that are

unanticipated and are for a specific purpose only, collected in a fiscal year by an institution, department, or agency exceed the receipts certified for it in General Fund ~~Codes or~~ Codes, Highway Fund Codes, or budgeted Special Fund Codes, the Director of the Budget shall decrease the amount he allots to that institution, department, or agency from appropriations from that Fund by the amount of the excess, unless the Director of the Budget has consulted with the Joint Legislative Commission on Governmental Operations and unless the Director of the Budget finds that (i) the appropriations from that Fund are necessary to maintain the function that generated the receipts at the level anticipated in the certified Budget Codes for that Fund and (ii) the funds may be expended in accordance with G.S. 143–23. Notwithstanding the foregoing provisions of this section, receipts within The University of North Carolina realized in excess of budgeted levels shall be available, up to a maximum of ten percent (10%) above budgeted levels, for each Budget Code, in addition to appropriations, to support the operations generating such receipts, as approved by the Director of the Budget.

The Office of State Budget and Management shall report to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division of the Legislative Services Office within 30 days after the end of each quarter on expenditures of receipts in excess of the amounts certified in General Fund ~~Codes or~~ Codes, Highway Fund ~~Codes~~ Codes, or budgeted Special Fund Codes, that did not result in a corresponding reduced allotment from appropriations from that Fund."

(3) For the 1996–97 fiscal year, the the Office of State Budget and Management shall report to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division of the Legislative Services Office within 30 days after the end of each quarter on expenditures of receipts in budgeted Special Fund Codes in excess of the amounts certified in those Special Fund Codes.

(i) G.S. 116–30.2 reads as rewritten:

"§ 116–30.2. Appropriations to special responsibility constituent institutions.

All General Fund appropriations made by the General Assembly for continuing operations of a special responsibility constituent institution of The University of North Carolina shall be made in the form of a single sum to each budget code of the institution for each year of the fiscal period for which the appropriations are being made. Notwithstanding G.S. 143–23(a1), G.S. 143–23(a2), and ~~G.S. 143–23(a3),~~ G.S. 143–23(a3) and G.S. 120–76(8), each special responsibility constituent institution may expend the General Fund monies so appropriated to it in the manner deemed by the Chancellor to be calculated to maintain and advance the programs and services of the institutions, consistent with the directives and policies of the Board of Governors. The preparation, presentation, and review of General Fund budget requests of special responsibility constituent institutions shall be conducted in the same manner as are requests of other constituent institutions. The quarterly allotment procedure established pursuant to G.S. 143–17 shall apply to the General Fund appropriations made for the current operations of each special responsibility constituent institution. All General Fund monies so appropriated to each special responsibility constituent institution shall be recorded, reported, and audited in the same manner as are General Fund appropriations to other constituent institutions."

(j) G.S. 143–16.3 reads as rewritten:

"§ 143–16.3. No expenditures for purposes for which the General Assembly has considered but not enacted an appropriation.

Notwithstanding any other provision of law, no funds from any source, except for gifts, grants, and funds allocated from the Contingency and Emergency Fund ~~by the Council of State,~~ in accordance with G.S. 143–12(b), may be expended for any purpose, position, or other expenditure for which the General Assembly has considered but not enacted an appropriation of funds for the current fiscal period. For the purpose of this section, the General Assembly has considered a purpose, position, or other expenditure when that purpose is included in a ~~bill~~ bill, amendment, or petition ~~or~~ and when any committee of the Senate or the House of Representatives deliberates on that purpose."

(k) G.S. 116–30.1 reads as rewritten:

"**§ 116–30.1. Special responsibility constituent institutions.**

The Board of Governors of The University of North Carolina, acting on recommendation made by the President of The University of North Carolina after consultation by him with the State Auditor, may designate one or more constituent institutions of The University as special responsibility constituent institutions. That designation shall be based on an express finding by the Board of Governors that each institution to be so designated has the management staff and internal financial controls that will enable it to administer competently and responsibly all additional management authority and discretion to be delegated to it. The Board of Governors, on recommendation of the President, shall adopt rules prescribing management staffing standards and internal financial controls and safeguards, including the lack of any significant exceptions or audit findings in the annual financial audit by the State Auditor's Office, that must be met by a constituent institution before it may be designated a special responsibility constituent institution and must be maintained in order for it to retain that designation. These rules shall not be designed to prohibit participation by a constituent institution because of its size. These rules shall establish procedures for the President and his staff to review the annual financial audit reports or any other special or performance audit reports issued by the State Auditors Office for each special responsibility constituent institution. The President shall take immediate action regarding reported weaknesses in the internal control structure, deficiencies in the accounting records, and noncompliance with rules and regulations. In any instance where such audit exceptions are identified, the President shall notify the Chancellor of the particular special responsibility constituent institution that such exceptions must be resolved to the satisfaction of the State Auditor and the President of The University within a three–month period commencing with the date of receipt of the published financial audit report. If the exceptions are not satisfactorily resolved within a three–month period, the President of The University shall recommend to the Board of Governors at its next meeting that the designation of the particular institution as a special responsibility constituent institution be terminated until such time as the exceptions are resolved to the satisfaction of the State Auditor and the President of The University of North Carolina. However, once the designation as a special responsibility constituent institution has been withdrawn by the Board of Governors, reinstatement may not be effective until the beginning of the following fiscal year at the earliest. Any actions taken by the Board of Governors with respect to withdrawal or reinstatement of an institution's status as a special responsibility constituent institution shall be reported immediately to the Joint Legislative Education Oversight Committee.

The rules established under this section shall include review and consultation with the State Auditor, the Director of the Office of State Personnel, and the

Director of the Division of State Purchasing and Contracts in ascertaining whether or not a constituent institution has the management staff and internal financial controls to administer the additional authorities authorized under G.S. 116–30.2, 116–30.4, and 143–53.1. Such review and consultation must take place no less frequently than once each biennium."

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

PERFORMANCE BUDGETING

Sec. 7.6. Notwithstanding the provisions of G.S. 143–16.3, Section 10(b) of Chapter 324 of the 1995 Session Laws, and Section 6.5 of Chapter 507 of the 1995 Session Laws, the Director of the Budget may expend funds to continue to develop performance/program budget analysis for the 10 program areas of North Carolina State government that were identified by the Governmental Performance Audit Commission. The Office of State Budget and Management shall report to the Joint Legislative Commission on Governmental Operations by December 1, 1996, regarding the development of performance/program budget analysis of State departments and institutions, its effectiveness, whether it should be continued, and any modifications that should be made.

The format of the presentation of the recommended 1997–99 State budget to the 1997 General Assembly shall follow that of presenting by department budget codes the line–item requirements for each fund along with a cross–reference to the appropriate program area and program outcome measure related to the budget fund.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

HISTORIC PROPERTIES ACQUISITIONS/REPORTING REQUIREMENT

Sec. 7.7. (a) G.S. 121–9 reads as rewritten:

"**§ 121–9. Historic properties.**

(a) Administration of Properties Acquired by State. — Historic or archaeological properties acquired by the State for administration by the State of North Carolina shall be under the control and administration of the Department of Cultural Resources. Upon approval of the North Carolina Historical Commission and the Secretary of Cultural Resources, the Department of Cultural Resources may, in its discretion, make a contract with any county or municipality within the State or with any nonprofit corporation or organization for the administration of any portion of such property.

(b) Acquisition of Historic Properties. — For the purpose of protecting or preserving any property of historical, architectural, archaeological, or other cultural importance to the people of North Carolina, and subject to the provisions of Subchapter II of Chapter 146 of the General Statutes, the Department may, with the approval of the North Carolina Historical ~~Commission,~~ Commission and after consultation with the Joint Legislative Commission on Governmental Operations, acquire, preserve, restore, hold, maintain, operate, and dispose of such properties, together with such adjacent lands as may be necessary for their protection, preservation, maintenance, and operation. Such property may be real or personal in nature, and in the case of real property, the acquisition may include the fee or any lesser interest therein. Property may be acquired by gift, grant, bequest, devise, lease, purchase, or condemnation pursuant to the provisions of Chapter 40A of the General Statutes, or otherwise. Property may be acquired by the Department,

using such funds as may be appropriated for the purpose or moneys available to it from any other source.

(b1) In the case of real property, the North Carolina Historical Commission shall report the following information to the Joint Legislative Commission on Governmental Operations before acquiring the property:

(1) The statewide historical significance of the site.
(2) The potential uses of the site.
(3) The capital requirements of the site over a 20-year period of time.
(4) The annual operating costs of the site.
(5) The expected levels of visitation at the site.
(6) Any other information that would assist in determining the full cost of maintaining, operating, and administering the site as State property.

(c) Interests Which May Be Acquired. — In the case of real property, the interest acquired shall be limited to that estate, interest, or term deemed by the Department to be reasonably necessary for the continued protection or preservation of the property. The Department may acquire the fee simple title, but where it finds that a lesser interest, including any development right, negative or affirmative easement in gross or appurtenant, covenant, lease, or other contractual right of or to any real property to be the most practical and economical method of protecting and preserving historic property, the lesser interest may be acquired.

(d) Conveyance of Property for Preservation Purposes. — In appropriate cases, the Department may acquire or dispose of the fee or lesser interest to any such property for the specific purpose of conveying or leasing the property back to its original owner or of conveying or leasing it to such other person, firm, association, corporation, or other organization under such covenants, deed restrictions, lease, or other contractual arrangements as will limit the future use of the property in such a way as to insure its preservation. Where such action is taken, the property may be conveyed or leased by private sale. In all cases where property is conveyed, it shall be subjected by covenant or otherwise to such rights of access, public visitation, and other conditions or restrictions of operation, maintenance, restoration, and repair as the Department may prescribe, or to such conditions as may be agreed upon between the Department and the grantee or lessee to accomplish the purposes of this section.

(e) Use of Property so Acquired. — Any historic property acquired, whether in fee or otherwise, may be used, maintained, improved, restored, or operated by the Department for any public purpose within its powers and not inconsistent with the purpose of the continued preservation of the property. The property shall not be subject to condemnation by the State of North Carolina or any of its agencies or political subdivisions at any time, unless such method of acquisition is first approved by the Governor and Council of State.

(f) Emergency Acquisition Where Funds Not Immediately Available. — If funds or contributions for the acquisition of needed historic property are not available, the Governor and Council of State may, upon the recommendation of the Secretary of Cultural Resources and approval of the North Carolina Historical Commission, allocate from the Contingency and Emergency Fund an amount sufficient to acquire an option on the property or properties, which option shall continue until 90 days after the adjournment *sine die* of the next General Assembly. Upon recommendation of the Secretary and approval of the Historical Commission, the Governor and Council of State may allocate funds from the Contingency and Emergency Fund for the immediate acquisition, preservation, restoration, or operation

of historically, archaeologically, architecturally, or culturally important properties. All funds hereinafter appropriated to purchase, restore, maintain, develop, or operate historic or archaeological or other important property shall be administered subject to the provisions of Article 1 of Chapter 143 of the General Statutes unless the statute making the appropriation shall in specific and express terms provide otherwise.

(g) Power to Acquire Property by Condemnation. — In the event that a property which has been found by the Department of Cultural Resources to be important for public ownership or assistance is in danger of being sold, used, or neglected to such an extent that its historical or cultural importance will be destroyed or seriously impaired, or that the property is otherwise in danger of destruction or serious impairment, the Department of Cultural Resources, after receiving the approval of the North Carolina Historical Commission and of the Governor and Council of State, may acquire the historic property or any interest therein by condemnation under the provisions of Chapter 40A of the General Statutes. The Department of Cultural Resources, upon finding that destruction or serious impairment of the value of the property is imminent, shall file with the Governor and Council of State a report on the importance of the property and the desirability of ownership of the property, or the ownership of an interest therein, by the State of North Carolina. Upon giving their approval, the Governor and Council of State shall cause to have filed such approval with the clerk of the superior court in the county or counties where the property is situated. Until the approval is filed, the power of condemnation may not be exercised. All condemnation proceedings shall be instituted and prosecuted in the name of the State of North Carolina.

(h) Preservation and Custodial Care of State Capitol. — The rotunda, corridors, and stairways of the first floor of the State Capitol and all portions of the second, third, and loft floors of the said building shall be placed in the custody of the Department of Cultural Resources; and the Department shall, subject to the availability of funds for the purpose, care for and administer these areas for the edification of present and future generations. The aforesaid areas shall be preserved as historic shrines and shall be maintained insofar as practicable as they shall appear following the restoration of the Capitol. The Department of Cultural Resources is authorized to deny the use of the legislative chambers for meetings in order that they, with their historic furnishings, may be better preserved for posterity; provided, however, that the General Assembly may hold therein such sessions as it may by resolution deem proper.

The Department of Cultural Resources is hereby entrusted with the responsibilities herein specified as being the agency with the experience best qualified to preserve and administer historic properties in a suitable manner. However, for the purposes of carrying out the provisions of this section, it is hereby directed that such cooperation and assistance shall be made available to the said Department of Cultural Resources and such labor supplied, as may be feasible, by the Department of Administration.

The offices and working areas of the first floor as well as all washrooms and the exterior of the Capitol shall remain under the jurisdiction of the Department of Administration: Provided, however, that the Department of Administration shall seek the advice of the Department of Cultural Resources in matters relating to any alteration, renovation, and furnishing of said offices and areas."

(b) G.S. 146–26 reads as rewritten:

"**§ 146–26. Donations and devises to State.**

No devise or donation of land or any interest therein to the State or to any State agency shall be effective to vest title to the ~~said~~ land or any interest therein

in the State or in any State agency until the devise or donation is accepted by the Governor and Council of State. If the land is devised or donated to the State or to any State agency as an historic property, then title shall not vest until the Historical Commission reports to the Joint Legislative Commission on Governmental Operations as provided in G.S. 121–9. Upon acceptance by the Governor and Council of State, title to the said land or interest therein shall immediately vest as of the time title would have vested but for the above requirement of reporting to the Joint Legislative Commission on Governmental Operations if an historic property and acceptance by the Governor and Council of State."

Requested by: Representatives Ives, Lemmond,
Senators Warren, Sherron

TOTAL QUALITY MANAGEMENT

Sec. 7.8. For the 1996–97 fiscal year only, the provisions of G.S. 143–16.3 do not apply to The Total Quality Management Program. This program shall be administered by the Office of State Budget and Management.

Requested by: Senators Perdue, Plyler, Odom,
Representatives Holmes, Creech, Esposito

DISASTER RELIEF FUNDS

Sec. 7.9. The Director of the Budget may use lapsed salary funds for the 1995–97 fiscal biennium to match federal funds for disaster relief.

Requested by: Representatives Creech, Holmes, Esposito,
Senators Sherron, Plyler, Odom, Perdue

CLARIFYING AND TECHNICAL CHANGES/ADMINISTRATIVE RULES

Sec. 7.10. (a) G.S. 150B–19 reads as rewritten:

"**§ 150B–19. Restrictions on what can be adopted as a rule.**

An agency may not adopt a rule that does one or more of the following:

(1) Implements or interprets a law unless that law or another law specifically authorizes the agency to do so.

(2) Enlarges the scope of a profession, occupation, or field of endeavor for which an occupational license is required.

(3) Imposes criminal liability or a civil penalty for an act or omission, including the violation of a rule, unless a law specifically authorizes the agency to do so or a law declares that violation of the rule is a criminal offense or is grounds for a civil penalty.

(4) Repeats the content of a law, a rule, or a federal regulation. A brief statement that informs the public of a requirement imposed by law does not violate this subdivision and satisfies the 'reasonably necessary' standard of review set in G.S. 150B–21.9(a)(3).

(5) Establishes a ~~reasonable~~ fee or other ~~reasonable~~ charge for providing a service in fulfillment of a duty unless a law specifically authorizes the agency to do so or the fee or other charge is for one of the following:

a. A service to a State, federal, or local governmental unit.

b. A copy of part or all of a State publication or other document, the cost of mailing a document, or both.

c. A transcript of a public hearing.

d. A conference, workshop, or course.

e. Data processing services.

(6) Allows the agency to waive or modify a requirement set in a rule unless a rule establishes specific guidelines the agency must follow in determining whether to waive or modify the requirement."

(b) G.S. 150B-20(e) is repealed.

(c) G.S. 150B-21.1(d) reads as rewritten:

"(d) Effective Date and Expiration. — A temporary rule becomes effective on the date specified in G.S. 150B-21.3. A temporary rule expires on the earliest of the following dates:

(1) The date specified in the rule.

(2) The effective date of the permanent rule adopted to replace the temporary rule, if the Commission approves the permanent rule.

(3) The date the Commission returns to an agency a permanent rule the agency adopted to replace the temporary ~~rule, if the Commission objects to the permanent rule.~~ rule.

(4) The effective date of an act of the General Assembly that specifically disapproves a permanent rule adopted to replace the temporary rule.

(5) 270 days from the date the temporary rule was published in the North Carolina Register, unless the permanent rule adopted to replace the temporary rule has been submitted to the Commission."

(d) G.S. 150B-21.1(e) reads as rewritten:

"(e) Publication. — When the Codifier of Rules enters a temporary rule in the North Carolina Administrative Code, the Codifier must publish the rule in the North Carolina Register. Publication of a temporary rule in the North Carolina Register serves as a notice of rule-making proceedings for a permanent rule ~~that does not differ substantially from~~ if the permanent rule is substantially the same as the published temporary ~~rule.~~ rule, unless the agency published a notice of rule-making proceedings at least 60 days before it adopted the temporary rule."

(e) G.S. 150B-21.2(e) reads as rewritten:

"(e) Hearing. — An agency must hold a public hearing on a rule it proposes to adopt if the agency publishes the text of the proposed rule in the North Carolina Register and all the following apply:

(1) The notice of ~~rule-making proceedings~~ text does not schedule a public hearing on the proposed rule.

(2) The agency receives a written request for a public hearing on the proposed rule within 15 days after the notice of ~~rule-making proceedings~~ text is published.

(3) The proposed text is not a changed version of proposed text the agency previously published in the course of rule-making proceedings but did not adopt.

An agency may hold a public hearing on a proposed rule in other circumstances. When an agency is required to hold a public hearing on a proposed rule or decides to hold a public hearing on a proposed rule when it is not required to do so, the agency must publish in the North Carolina Register a notice of the date, time, and place of the public hearing. The hearing date of a public hearing held after the agency publishes notice of the hearing in the North Carolina Register must be at least 15 days after the date the notice is published."

(f) G.S. 150B-21.3 is amended by adding a new subsection to read:

"(f) Technical Change. — A permanent rule for which no notice or hearing is required under G.S. 150B-21.5(a) or (b) becomes effective on the first day of the month following the month the rule is approved by the Rules Review Commission."

(g) G.S. 150B–2(2) reads as rewritten:

"(2) 'Contested case' means an administrative proceeding pursuant to this Chapter to resolve a dispute between an agency and another person that involves the person's rights, duties, or privileges, including licensing or the levy of a monetary penalty. 'Contested case' does not include rulemaking, declaratory rulings, or the award or denial of a ~~scholarship or grant.~~ scholarship, a grant, or a loan."

(h) G.S. 120–70.101(8) reads as rewritten:

"(8) To report to the General Assembly ~~at the beginning of each regular session~~ from time to time concerning the Committee's activities and any recommendations for statutory changes."

(i) G.S. 89C–3(6) reads as rewritten:

"(6) Practice of engineering. —

a. Any service or creative work, the adequate performance of which requires engineering education, training, and experience, in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as consultation, investigation, evaluation, planning, and design of engineering works and systems, planning the use of land and water, engineering surveys, and the observation of construction for the purposes of assuring compliance with drawings and specifications, including the consultation, investigation, evaluation, planning, and design for either private or public use, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems, projects, and industrial or consumer products or equipment of a mechanical, electrical, hydraulic, pneumatic or thermal nature, insofar as they involve safeguarding life, health or property, and including such other professional services as may be necessary to the planning, progress and completion of any engineering services.

A person shall be construed to practice or offer to practice engineering, within the meaning and intent of this Chapter, who practices any branch of the profession of engineering; or who, by verbal claim, sign, advertisement, letterhead, card, or in any other way represents himself to be a professional engineer, or through the use of some other title implies that he is a professional engineer or that he is registered under this Chapter; or who holds himself out as able to perform, or who does perform any engineering service or work not exempted by this Chapter, or any other service designated by the practitioner which is recognized as engineering.

b. The term 'practice of engineering' shall not be construed to permit the location, description, establishment or reestablishment of property lines or descriptions of land boundaries for conveyance. The term does not include the assessment of an underground storage tank required by applicable rules at closure or change in service unless there has been a discharge or release of the product from the tank."

(j) G.S. 89E–3(4) reads as rewritten:

"(4) 'Geology' means the science dealing with the earth and its history; investigation, prediction and location of the materials and structures which compose it; the natural processes that cause change in the

earth; and the applied science of utilizing knowledge of the earth and its constituent rocks, minerals, liquids, gases and other materials for the benefit of mankind. This definition shall not include any ~~service~~ of the following:

a. Service or creative works, the adequate performance of which requires engineering education, training, and experience.

b. The assessment of an underground storage tank required by applicable rules at closure or change in service unless there has been a discharge or release of the product from the tank."

(k) G.S. 89C–14(b) reads as rewritten:

"(b) ~~The registration fee shall be established by the Board in an~~ An applicant for registration who is required to take the written examination shall pay a fee equal to the cost of the examination to the Board plus an additional amount not to exceed one hundred dollars ~~($100.00) which~~ ($100.00). The fee shall accompany the ~~applications.~~ application. The fee for comity registration of engineers and land surveyors who hold unexpired certificates in another state or a territory of the United States or in Canada shall be the total current fee as fixed by the Board."

(l) Subsection (c) of this section becomes effective December 1, 1996, and applies to temporary rules published on or after December 1, 1995, except temporary rules published on or after December 1, 1995, for which the permanent rules adopted to replace the temporary rules have not been submitted to the Rules Review Commission within 270 days of publication of the temporary rules may remain effective under this section if the permanent rules are submitted to the Rules Review Commission by December 1, 1996. All other subsections of this section are effective upon ratification of this act.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

CAPITAL RESERVE

Sec. 7.11. Of the funds appropriated in Chapters 324 and 507 of the 1995 Session Laws from the General Fund for the 1995–96 fiscal year for current operations, the sum of thirty–nine million five hundred nineteen thousand five hundred sixty–seven dollars ($39,519,567) shall be transferred to a reserve for capital expenditures. Funds in the reserve shall be used for capital projects authorized as follows:

Capital Improvements – General Fund	1996–1997
Department of Administration	
Prison Construction	
1. Southern Piedmont Area Unit	$9,000,000
2. Modular Housing Units	5,000,000
3. Prison Unit Improvements	1,600,000
4. Plan and Design Facilities	2,350,000
Department of Environment, Health, and Natural Resources	
1. Water Resources	8,705,000
2. Museum of Natural Sciences	500,000

University of North Carolina –
Board of Governors

1. NCSU – Advanced planning for an Undergraduate General Chemistry and Physics Building	2,000,000
2. NCA&T – Advanced planning for a General Classroom and Lab Bldg.	1,000,000
3. UNC–G – Advanced planning for a Science Instructional Bldg.	2,000,000
4. UNC–C – Advanced planning for Classroom Facilities	1,000,000
5. Western Carolina – Advanced planning for a Fine Arts Center	2,000,000
6. ECU – Advanced planning for the Science Laboratories and Technology Bldg.	1,000,000

Department of Crime Control and Public Safety

1. National Guard Armory – Mecklenburg	87,567

Department of Transportation

1. Global Transpark Education and Training Center (State match)	3,277,000

Requested by: Representatives Holmes, Esposito, Creech, Senators Plyler, Perdue, Odom

USE OF FUNDS IN RESERVES

Sec. 7.12. (a) Of the funds appropriated from the General Fund for the 1995–96 fiscal year, the Director of the Budget shall transfer the sum of five million seventy–six thousand four hundred sixty–six dollars ($5,076,466) to the Reserve for Disaster Relief. These funds shall not be subject to the provisions of G.S. 143–16.3.

(b) Of the funds appropriated from the General Fund for the 1996–97 fiscal year, the Director of the Budget shall transfer the sum of five million one hundred thousand dollars ($5,100,000) to the Reserve for Moving Expenses. These funds shall not be subject to the provisions of G.S. 143–16.3.

(c) Subsection (a) of this section becomes effective June 30, 1996.

PART 7A. OFFICE OF STATE TREASURER

Requested by: Representatives Creech, Holmes, Esposito, Ives, Lemmond, Senators Warren, Sherron

FORFEITED RESERVATION DEPOSITS DO NOT ESCHEAT

Sec. 7A. (a) Article 2 of Chapter 116B of the General Statutes is amended by adding a new section to read:

"**§ 116B–23. Exclusion for forfeited reservation deposits.**

Property or funds withheld by a business association as a penalty or forfeiture or as damages in the event a person who has reserved the services of the business association fails to make use of and pay for the services, regardless of any practice or policy of the business association related to the return of withheld funds, is not unclaimed or abandoned property."

(b) The Legislative Research Commission shall study the implementation and enforcement of Chapter 116B of the General Statutes, Escheats and Abandoned Property, including relevant policies and procedures of the Office of State Treasurer. The study shall include a review of: (i) the policy of the Office of State

Treasurer regarding the requirement that funds withheld by persons and business associations, including nonprofit corporations, as penalties, forfeitures, or damages for unused reservations escheat, (ii) the effects the policy has on the economy of the State and on the business industry, and (iii) the effects G.S. 116B–23 will have on the citizens of the State as consumers. The Legislative Research Commission shall report its findings and recommendations to the 1997 General Assembly.

(c) Subsection (a) of this section applies to funds held or collected by business associations on or after July 1, 1996. Subsection (a) of this section expires June 30, 1997, but all funds collected or held by business associations before June 30, 1997, shall not escheat.

PART 8. GENERAL ASSEMBLY

Requested by: Representatives Holmes, Creech, Esposito, Senator Warren

LEGISLATIVE SERVICES OFFICER POSITION

Sec. 8. (a) G.S. 20–79.5(a) reads as rewritten:

"(a) Plates. — The State government officials listed in this section are eligible for a special registration plate under G.S. 20–79.4. The plate shall bear the number designated in the following table for the position held by the official.

Position	Number on Plate
Governor	1
Lieutenant Governor	2
Speaker of the House of Representatives	3
President *Pro Tempore* of the Senate	4
Secretary of State	5
State Auditor	6
State Treasurer	7
Superintendent of Public Instruction	8
Attorney General	9
Commissioner of Agriculture	10
Commissioner of Labor	11
Commissioner of Insurance	12
Speaker *Pro Tempore* of the House	13
~~Legislative Administrative Officer~~	14
Legislative Services Officer	
Secretary of Administration	15
Secretary of Environment, Health, and Natural Resources	16
Secretary of Revenue	17
Secretary of Human Resources	18
Secretary of Commerce	19
Secretary of Correction	20
Secretary of Cultural Resources	21
Secretary of Crime Control and Public Safety	22
Governor's Staff	23–29
State Budget Officer	30
State Personnel Director	31
Advisory Budget Commission Nonlegislative Member	32–41
Chair of the State Board of Education	42
President of the U.N.C. System	43
Alcoholic Beverage Control Commission	44–46

Assistant Commissioners of Agriculture	47–48
Deputy Secretary of State	49
Deputy State Treasurer	50
Assistant State Treasurer	51
Deputy Commissioner for the Department of Labor	52
Chief Deputy for the Department of Insurance	53
Assistant Commissioner of Insurance	54
Deputies and Assistant to the Attorney General	55–65
Board of Economic Development	
Nonlegislative Member	66–88
State Ports Authority Nonlegislative Member	89–96
Utilities Commission Member	97–104
Post-Release Supervision and	
Parole Commission Member	105–109
State Board Member, Commission Member,	
or State Employee Not Named in List	110–200".

(b) G.S. 120–3.1(a)(3) reads as rewritten:

"(3) A subsistence allowance for meals and lodging at a daily rate equal to the maximum *per diem* rate for federal employees traveling to Raleigh, North Carolina, as set out at 58 Federal Register 67959 (December 22, 1993), while the General Assembly is in session and, except as otherwise provided in this subdivision, while the General Assembly is not in session when, with the approval of the Speaker of the House of Representatives in the case of Representatives or the President *Pro Tempore* of the Senate in case of Senators, the member is:

a. Traveling as a representative of the General Assembly or of its committees or commissions, or

b. Otherwise in the service of the State.

A member who is authorized to travel, whether in or out of session, within the United States outside North Carolina, may elect to receive, in lieu of the amount provided in the preceding paragraph, a subsistence allowance of twenty-six dollars ($26.00) a day for meals, plus actual expenses for lodging when evidenced by a receipt satisfactory to the ~~Legislative Administrative Officer,~~ Legislative Services Officer, the latter not to exceed the maximum *per diem* rate for federal employees traveling to the same place, as set out at 58 Federal Register 67950–67964 (December 22, 1993) and at 59 Federal Register 23702–23709 (May 6, 1994)."

(c) G.S. 120–32.1 reads as rewritten:

"**§ 120–32.1. Use and maintenance of buildings and grounds.**

(a) The Legislative Services Commission shall:

(1) Establish policy for the use of the State legislative buildings and grounds;

(2) Maintain and care for the State legislative buildings and grounds, but the Commission may delegate the actual work of the maintenance of those buildings and grounds to the Department of Administration, which shall perform the work as delegated;

(3) Provide security for the State legislative buildings and grounds;

(4) Allocate space within the State legislative buildings and grounds; and

(5) Have the exclusive authority to assign parking space in the State legislative buildings and grounds.

(b) The ~~Legislative Administrative Officer~~ Legislative Services Officer shall have posted the rules adopted by the Legislative Services Commission under the authority of this section in a conspicuous place in the State Legislative Building and the Legislative Office Building. The ~~Legislative Administrative Officer~~ Legislative Services Officer shall have filed a copy of the rules, certified by the chairman of the Legislative Services Commission, in the office of the Secretary of State and in the office of the Clerk of the Superior Court of Wake County. When so posted and filed, these rules shall constitute notice to all persons of the existence and text of the rules. Any person, whether on his own behalf or for another, or acting as an agent or representative of any person, firm, corporation, partnership or association, who knowingly violates any of the rules adopted, posted and filed under the authority of this section is guilty of a Class 1 misdemeanor. Any person, firm, corporation, partnership or association who combines, confederates, conspires, aids, abets, solicits, urges, instigates, counsels, advises, encourages or procures another or others to knowingly violate any of the rules adopted, posted and filed under the authority of this section is guilty of a Class 1 misdemeanor.

(c) The Legislative Services Commission may cause to be removed at the owner's expense any vehicle parked in the State legislative buildings and grounds in violation of the rules of the Legislative Services Commission and may cause to be removed any vehicle parked in any State–owned parking space leased to an employee of the General Assembly where the vehicle is parked without the consent of the employee to whom the space is leased.

(d) For the purposes of this section, the term 'State legislative buildings and grounds' means:

(1) At all times:
   a. The State Legislative Building and the area between outer walls of the State Legislative Building and the near curbline of those sections of Jones, Wilmington, Lane, and Salisbury Streets which border land on which the State Legislative Building is situated;
   b. The Legislative Office Building and the areas between its outer walls and the near curbline of those sections of Lane and Salisbury Streets that border the land on which it is situated;
   c. Any State–owned parking lot which is leased to the General Assembly; and
   d. The bridge between the State Legislative Building and the State Governmental Mall.

(2) In addition, the surface area to the far curbline of those sections of Jones, Wilmington, Lane, and Salisbury Streets which border the land on which the State Legislative Building is situated:
   a. When the General Assembly is in regular or extra session; and
   b. On other days on which one or more standing committees of either or both houses of the General Assembly are meeting and the ~~Legislative Administrative Officer~~ Legislative Services Officer determines that additional parking is needed for the functioning of the General Assembly and files notice of the committee's or committees' meetings and his finding that additional parking is needed in the office of the Secretary of State and that of Clerk of the Superior Court of Wake County."

(d) G.S. 120–36.6 reads as rewritten:

"§ 120–36.6. Legislative Fiscal Research staff participation.

Legislative fiscal research staff members may attend all meetings of the Advisory

Budget Commission and all hearings conducted by or for the Commission, and may accompany the Commission to inspect the facilities of the State. The ~~Legislative Administrative Officer~~ Legislative Services Officer shall designate a member of the Fiscal Research staff, and a member of the General Research or Bill Drafting staff who may attend all meetings of the Board of Awards and Council of State, unless the Board or Council has voted to exclude them from the specific meeting, provided that no final action may be taken while they are so excluded. The Legislative Services Officer and the Director of Fiscal Research shall be notified of all such meetings, hearings and trips in the same manner and at the same time as notice is given to members of the Board, Commission or Council. The Legislative Services Officer and the Director of Fiscal Research shall be provided with a copy of all reports, memoranda, and other informational material which are distributed to the members of the Board, Commission, or Council; these reports, memoranda and materials shall be delivered to the Legislative Services Officer and the Director of Fiscal Research at the same time that they are distributed to the members of the Board, Commission, or Council."

(e) G.S. 120–70.36 reads as rewritten:

"**§ 120–70.36. Staffing.**

The ~~Legislative Administrative Officer~~ Legislative Services Officer shall assign as staff to the Joint Select Committee professional employees of the General Assembly, as approved by the Legislative Services Commission. Clerical staff shall be assigned to the Joint Select Committee through the offices of the Supervisor of Clerks of the Senate and Supervisor of Clerks of the House of Representatives. The expenses of employment of clerical staff shall be borne by the Joint Select Committee."

(f) G.S. 120–70.46 reads as rewritten:

"**§ 120–70.46. Staffing.**

The ~~Legislative Administrative Officer~~ Legislative Services Officer shall assign as staff to the Environmental Review Commission professional employees of the General Assembly, as approved by the Legislative Services Commission. Clerical staff shall be assigned to the Environmental Review Commission through the offices of the Supervisor of Clerks of the Senate and Supervisor of Clerks of the House of Representatives. The expenses of employment of clerical staff shall be borne by the Environmental Review Commission."

(g) G.S. 120–70.52(c) reads as rewritten:

"(c) The Committee shall be funded by appropriations made to the Highway Trust Fund and allocated to the Intrastate System projects. Members of the Committee receive subsistence and travel expenses as provided in G.S. 120–3.1. The Committee may contract for consultants or hire employees in accordance with G.S. 120–32.02. The Legislative Services Commission, through the ~~Legislative Administrative Officer,~~ Legislative Services Officer, shall assign professional staff to assist the Committee in its work. Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be borne by the Committee."

(h) G.S. 120–70.65 reads as rewritten:

"**§ 120–70.65. Staffing.**

The ~~Legislative Administrative Officer~~ Legislative Services Officer shall assign as staff to the Commission professional employees of the General Assembly, as approved by the Legislative Services Commission. Clerical staff shall be assigned

to the Commission through the Offices of the Supervisor of Clerks of the Senate and Supervisor of Clerks of the House of Representatives. The expenses of employment of clerical staff shall be borne by the Commission."

(i) G.S. 120–70.82(c) reads as rewritten:

"(c) Members of the Committee receive subsistence and travel expenses as provided in G.S. 120–3.1. The Committee may contract for consultants or hire employees in accordance with G.S. 120–32.02. The Legislative Services Commission, through the ~~Legislative Administrative Officer,~~ Legislative Services Officer, shall assign professional staff to assist the Committee in its work. Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be borne by the Committee."

(j) G.S. 120–70.92(c) reads as rewritten:

"(c) Members of the Committee receive subsistence and travel expenses as provided in G.S. 120–3.1. The Legislative Services Commission, through the ~~Legislative Administrative Officer,~~ Legislative Services Officer, shall assign professional staff to assist the Committee in its work. Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be borne by the Committee."

(k) G.S. 120–70.95(c) reads as rewritten:

"(c) Members of the Committee receive subsistence and travel expenses as provided in G.S. 120–3.1. The Committee may contract for consultants or hire employees in accordance with G.S. 120–32.02. The Legislative Services Commission, through the ~~Legislative Administrative Officer,~~ Legislative Services Officer, shall assign professional staff to assist the Committee in its work. Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be borne by the Committee."

(l) G.S. 120–70.102(c) reads as rewritten:

"(c) Members of the Committee receive subsistence and travel expenses as provided in G.S. 120–3.1. The Committee may contract for consultants or hire employees in accordance with G.S. 120–32.02. The Committee may meet in the Legislative Building or the Legislative Office Building upon the approval of the Legislative Services Commission. The Legislative Services Commission, through the ~~Legislative Administrative Officer,~~ Legislative Services Officer, shall assign professional staff to assist the Committee in its work. Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be paid by the Committee."

(m) G.S. 143–8 reads as rewritten:

"§ 143–8. Reporting of legislative and judicial expenditures and financial needs.

On or before the first day of September, biennially, in the even–numbered years, the ~~Legislative Administrative Officer~~ Legislative Services Officer shall furnish the Director a detailed statement of expenditures of the General Assembly for the current fiscal biennium, and an estimate of its financial needs, itemized in accordance with the budget classification adopted by the Director and approved and certified by the President ~~*pro tempore*~~ *Pro Tempore* of the Senate and the Speaker of the House of Representatives for each year of the ensuing biennium, beginning with the first day of July thereafter. The Administrative Officer of the

Courts shall furnish the Director a detailed statement of expenditures of the judiciary, and for each year of the current fiscal biennium an estimate of its financial needs as provided by law, itemized in accordance with the budget classification adopted by the Director and approved and certified by the Chief Justice for each year of the ensuing biennium, beginning with the first day of July thereafter. The Director shall include these estimates and accompanying explanations in the budget submitted with such recommendations as the Director may desire to make in reference thereto."

(n) G.S. 147–64.12(b) reads as rewritten:

"(b) The Auditor shall not conduct an audit on a program or activity for which he had management responsibility or in which he has been employed during the preceding two years. The General Assembly shall otherwise provide for the necessary audit of programs and activities within the meaning of this subsection.

If the Auditor's hotline receives a report of allegations of improper governmental activities in a program or activity that the Auditor is prohibited by this subsection from auditing, the Hotline Manager shall transmit the report to the ~~Legislative Administrative Officer~~ Legislative Services Officer or his designee. The report shall retain the same confidentiality after transmittal to the General Assembly that it had in the possession of the Auditor."

(o) All powers, duties, and responsibilities assigned to the Legislative Administrative Officer of the Legislative Services Commission, including the assignment of professional and clerical staff to assist in the work of studies and commissions, shall be transferred to the Legislative Services Officer of the Legislative Services Commission. All rules and policies of the Legislative Services Commission relating to the Legislative Administrative Officer shall apply to the Legislative Services Officer unless otherwise expressly amended or repealed.

Requested by: Representatives Holmes, Creech, Esposito,
Senator Warren

EXTENSION OF TERRITORIAL JURISDICTION OF LEGISLATIVE SERVICES COMMISSION TO ALL OF LANE STREET

Sec. 8.1. G.S. 120–32.1(d) reads as rewritten:

"(d) For the purposes of this section, the term 'State legislative buildings and grounds' means:

(1) At all times:

a. The State Legislative ~~Building and the area~~ Building;

a1. The areas between the outer walls of the State Legislative Building and the near curbline of those sections of Jones, Wilmington, ~~Lane,~~ and Salisbury Streets which border land on which ~~the State Legislative Building~~ it is situated;

a2. The area between the outer walls of the State Legislative Building and the far curbline of that section of Lane Street which borders the land on which it is situated;

b. The Legislative Office Building and the areas between its outer walls and the near curbline of those sections of Lane and Salisbury Streets that border the land on which it is situated;

c. Any State–owned parking lot which is leased to the General Assembly; and

d. The bridge between the State Legislative Building and the State Governmental Mall.

(2) In addition, the surface area to the far curbline of those sections of Jones, Wilmington, ~~Lane,~~ and Salisbury Streets which border the land on which the State Legislative Building is situated:
a. When the General Assembly is in regular or extra session; and
b. On other days on which one or more standing committees of either or both houses of the General Assembly are meeting and the Legislative Administrative Officer determines that additional parking is needed for the functioning of the General Assembly and files notice of the committee's or committees' meetings and his finding that additional parking is needed in the office of the Secretary of State and that of Clerk of the Superior Court of Wake County."

Requested by: Representatives Holmes, Creech, Esposito, Senator Warren

ACCESS TO STATE INFORMATION BY LEGISLATIVE SERVICES OFFICE

Sec. 8.2. G.S. 120–32.01 reads as rewritten:

"§ 120–32.01. Information to be supplied.

(a) Every State department, State agency, or State institution shall furnish the Legislative ~~Administrative~~ Services Office and the Research, Fiscal Research, and Bill Drafting Divisions any information or records requested by them. Except when accessibility is prohibited by a federal statute, federal regulation or State statute, every State department, State agency, or State institution shall give the Legislative Services Office and the Fiscal Research Division access to any data base or stored information maintained by computer, telecommunications, or other electronic data processing equipment, whether stored on tape, disk, or otherwise, and regardless of the medium for storage or transmission.

(b) Notwithstanding subsection (a) of this section, access to the State Personnel Management Information System ~~by the Legislative Administrative Office and~~ by the Research and Bill Drafting Divisions shall only be through the Fiscal Research Division."

Requested by: Representatives Ives, Lemmond, Senators Warren, Sherron

AUTOMATED RULE MANAGEMENT SYSTEM FUNDS

Sec. 8.5. From the funds appropriated to the General Assembly for fiscal year 1996–97, up to three hundred thirty–five thousand dollars ($335,000) shall be used for the development of an automated rule management system to provide electronic access by the General Assembly, the Office of Administrative Hearings, and the Rules Review Commission to all phases of the Administrative Procedure Act rule–making process. Of these funds, up to thirty–five thousand dollars ($35,000) may be transferred to the Office of Administrative Hearings for computer equipment to implement this automated process.

PART 9. OFFICE OF STATE BUDGET AND MANAGEMENT

Requested by: Representatives Holmes, Creech, Esposito, Senator Warren

RESERVE FOR MOVING EXPENSES/STATE AGENCIES

Sec. 9. Funds transferred in this act to the Reserve for Moving Expenses shall be used to pay for expenses involved in the relocation of State agencies. The Office of State Budget and Management shall solicit requests for allocations from

this reserve from all agencies moving into the Old Education Building, the New Education Building, the Old Revenue Building, and any other new building for which construction will be completed during the 1996–97 fiscal year. The Office of State Budget and Management shall first allocate funds needed to pay moving expenses and other costs associated with moving, including telephone lines, data communication lines, and related equipment. No funds shall be expended to furnish new conference rooms, reception areas, open space, and to add centralized filing systems until all agencies scheduled to be moved have been relocated.

PART 10. DEPARTMENT OF ADMINISTRATION

Requested by: Representatives Ives, Lemmond,
Senator Warren

DOA TO EVALUATE UTILIZATION OF "STATE–OWNED SPACE"

Sec. 10. The Department of Administration shall study and evaluate the utilization of space in the facilities owned by the State. In its study the Department shall consider the following: whether prime State office space is being used for storage purposes rather than offices; which uses of State space do not need to be located in the Capitol complex and could be located at other less expensive sites; and the merit, if any, of consolidating agency offices currently sited in various locations into either a single location or locations that are closer to each other in proximity. The Department shall also develop a priority list that indicates which uses it is most important to locate in State–owned space. Cost–effectiveness shall be a major criteria in establishing the priorities.

The Department of Administration shall develop a long–term plan to reduce the State's dependency on leased office space and shall report to the General Assembly no later than January 1, 1997, regarding the Department's findings, recommendations, and the proposed long–term plan. The report shall also include the priority list developed by the Department in accordance with this section.

Requested by: Representatives Ives, Lemmond,
Senator Warren

DIRECTOR OF THE BUDGET AND STATE CONSTRUCTION MAY TIME SELECTION OF DESIGNERS AND RELEASE OF DESIGN AND CONSTRUCTION FUNDS TO AVOID INFLATION DUE TO MARKET PRICES BEING INCREASED BY THE NUMBER OF CONTRACTS

Sec. 10.1. G.S. 143–135.26(1) reads as rewritten:

"(1) To adopt rules establishing standard procedures and criteria to assure that the designer selected for each State capital improvement project and the consultant selected for planning and studies of an architectural and engineering nature associated with a capital improvement project or a future capital improvement project has the qualifications and experience necessary for that capital improvement project or the proposed planning or study project. The rules shall provide that the State Building Commission, after consulting with the funded agency, is responsible and accountable for the final selection of the designer and the final selection of the consultant except when the General Assembly or The University of North Carolina is the funded agency. When the General Assembly is the funded agency, the Legislative Services Commission is responsible and accountable for the final selection of the designer and the final selection of the consultant,

and when the University is the funded agency, it shall be subject to the rules adopted hereunder, except it is responsible and accountable for the final selection of the designer and the final selection of the consultant. All designers and consultants shall be selected within 60 days of the date funds are appropriated for a project by the General Assembly or the date of project authorization by the Director of the Budget; provided, however, the State Building Commission may grant an exception to this requirement upon written request of the funded agency if (i) no site was selected for the project before the funds were appropriated or (ii) funds were appropriated for advance planning ~~only.~~ only; provided, further, the Director of the Budget, after consultation with the State Construction Office, may waive the 60-day requirement for the purpose of minimizing project costs through increased competition and improvements in the market availability of qualified contractors to bid on State capital improvement projects. The Director of the Budget also may, after consultation with the State Construction Office, schedule the availability of design and construction funds for capital improvement projects for the purpose of minimizing project costs through increased competition and improvements in the market availability of qualified contractors to bid on State capital improvement projects.

The State Building Commission shall submit a written report to the Joint Legislative Commission on Governmental Operations on the Commission's selection of a designer for a project within 30 days of selecting the designer."

Requested by: Representatives Ives, Lemmond,
Senator Warren

MOTOR FLEET MANAGEMENT MODIFICATIONS

Sec. 10.2. G.S. 143-341(8)7a.vii is repealed.

Requested by: Representatives Ives, Lemmond,
Senator Warren

PROCEEDS OF TIMBER SALES MAY BE USED FOR VETERANS HOMES

Sec. 10.3. Notwithstanding any other provision of law, the net proceeds derived from the sale of timber from land owned by or under the supervision and control of the Department of Administration, Division of Veterans Affairs, shall be deposited in the North Carolina Veterans Home Trust Fund and shall be used for the purposes set out in G.S. 165-48.

PART 11. DEPARTMENT OF CULTURAL RESOURCES

Requested by: Representatives Ives, Lemmond, Culpepper,
Senator Warren

RESERVE FUNDS MAY BE USED FOR MUSEUM OF THE ALBEMARLE OR OTHER ALBEMARLE AREA HISTORIC SITES

Sec. 11. Of the funds appropriated in Section 2 of Chapter 324 of the 1995 Session Laws to the Department of Cultural Resources, the sum of forty-seven thousand eight hundred eighty-seven dollars ($47,887) which is in reserve in the budget of the Department of Cultural Resources for the 1996-97 fiscal year may be used either for the Museum of the Albemarle or for other Albemarle area historic sites.

Requested by: Representative Culpepper,
Senator Warren

ROANOKE ISLAND HISTORICAL ASSOCIATION

Sec. 11.1. (a) G.S. 143–200 reads as rewritten:

"**§ 143–200. Members of board of directors; terms; appointment.**

The governing body of said Association shall be a board of directors consisting of the Governor of the State, the Attorney General and the Secretary of Cultural Resources as ex officio members, and the following 21 members: J. Spencer Love, Greensboro; Miles Clark, Elizabeth City; Mrs. Richard J. Reynolds, Winston–Salem; D. Hiden Ramsey, Asheville; Mrs. Charles A. Cannon, Concord; Dr. Fred Hanes, Durham; Mrs. Frank P. Graham, Chapel Hill; Bishop Thomas C. Darst, Wilmington; W. Dorsey Pruden, Edenton; John A. Buchanan, Durham; William B. Rodman, Jr., Washington; J. Melville Broughton, Raleigh; Melvin R. Daniels, Manteo; Paul Green, Chapel Hill; Samuel Selden, Chapel Hill; R. Bruce Etheridge, Manteo; Theodore S. Meekins, Manteo; Roy L. Davis, Manteo; M. K. Fearing, Manteo; A. R. Newsome, Chapel Hill. The members of said board of directors herein named other than the ex officio members, shall serve for a term of two years and until their successors are appointed. Appointments thereafter shall be made by the membership of the Association in regular annual meeting or special meeting called for such ~~purpose, and in~~ purpose. In the event the Association through its membership should fail to make such appointments, then the appointments shall be made by the Governor of the State. If a vacancy occurs between annual meetings, the board of directors may fill the vacancy until the next annual meeting. All vacancies ~~Vacancies~~ occurring on the board of directors not filled by the board of directors within 30 days of the vacancy shall be filled by the Governor of the State."

(b) This section is effective upon ratification.

Requested by: Representatives Ives, Lemmond,
Senator Warren

DEPARTMENT OF CULTURAL RESOURCES TO REVIEW ADMISSION RATES FOR HISTORIC SITES

Sec. 11.2. The Department of Cultural Resources shall review the admission fees and concession prices charged at each historic site. The Department shall evaluate on a site–by–site basis whether those charges are competitive with the admission fees and concession prices charged at other historic sites and how an increase in prices would impact visitation of each site. The Department of Cultural Resources shall report its findings and recommendations to the 1997 General Assembly.

Requested by: Senators Warren, Sherron,
Representatives Ives, Lemmond

DEPARTMENT OF CULTURAL RESOURCES RETAIN HISTORICAL PUBLICATIONS RECEIPTS

Sec. 11.3. The Historical Publications Section, Division of Archives and History, Department of Cultural Resources, may retain the receipts, including over–realized receipts, from the sale of its publications. The receipts from the sale of those publications retained by the Historical Publications Section, Division of Archives and History, Department of Cultural Resources, shall not revert, but shall be used to reprint the publications.

Requested by: Senators Warren, Sherron,
Representatives Ives, Lemmond

DEPARTMENT OF CULTURAL RESOURCES TO STUDY THE HISTORIC SIGNIFICANCE OF THE PRINCEVILLE CEMETERY AND OF SOUTH GRANVILLE MEMORIAL GARDENS

Sec. 11.4. The Department of Cultural Resources shall study the historical significance of the cemetery located in Princeville, the oldest African–American community in North America and shall also study the historical significance of the cemetery in Butner, known as South Granville Memorial Gardens. The Department shall consider what efforts should be taken to preserve and maintain the cemeteries, and shall also consider whether the cemetery in Princeville should be nominated to the National Register of Historic Places. The Department shall report its findings and recommendations to the 1997 General Assembly.

Requested by: Senators Plyler, Perdue, Odom

MATCH FOR ANTICIPATED NON–STATE FUNDS

Sec. 11.5. Of the funds appropriated to the Department of Cultural Resources, the sum of one million dollars ($1,000,000) for the 1996–97 fiscal year shall be allocated to a Reserve to Match Anticipated Non–State Funds. These funds shall be matched on a dollar–for–dollars basis for the Lost Colony Outdoor Drama.

Requested by: Representatives Ives, Lemmond, Holmes, Creech, Esposito,
Senators Warren, Sherron, Plyler, Perdue, Odom

PUBLIC LIBRARY GRANT IN AID FUNDS

Sec. 11.6. (a) Of the funds appropriated to the Department of Cultural Resources for the 1995–96 fiscal year, the sum of two hundred eighty–four thousand dollars ($284,000) shall not revert at the end of the fiscal year but shall remain available to the Department to be used as grants in aid to public libraries. The Department of Cultural Resources may use up to the full amount of the two hundred eighty–four thousand dollars ($284,000) of the funds that shall not revert under this section for grants to public libraries.

(b) This section becomes effective June 30, 1996.

PART 12. DEPARTMENT OF INSURANCE

Requested by: Representatives Ives, Lemmond,
Senator Warren

CONSTRUCTION CODE RECEIPTS

Sec. 12. Section 13 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 13. Departmental receipts realized by the Department of Insurance in excess of amounts approved for expenditure by the General Assembly, as adjusted by the Office of State Budget and Management to reflect the distribution of statewide reserves, shall revert to the General Fund at the end of each fiscal year. This section shall not apply to receipts realized by the Department from the sale of copies of the State construction code if the receipts are used for the purchase of copies of the code for sale to the public, except that unspent construction code receipts shall revert to the General Fund at the end of each fiscal year."

PART 13. DEPARTMENT OF SECRETARY OF STATE

Requested by: Representatives Ives, Lemmond,
Senator Warren

INVESTOR PROTECTION AND EDUCATION TRUST FUND

Sec. 13. Article 4 of Chapter 147 of the General Statutes is amended by adding a new section to read:

"**§ 147-54.5. Investor Protection and Education Trust Fund; administration; limitations on use of the Fund.**

(a) The Investor Protection and Education Trust Fund created in the Department of the Secretary of State as an expendable trust account to be used by the Secretary of State only for the purposes set forth in this section.

(b) The proceeds of the Investor Protection and Education Trust Fund shall be used by the Secretary of State to provide investor protection and education to the general public and to potential securities investors in the State through:

(1) The use of the media, including television and radio public service announcements and printed materials; and

(2) The sponsorship of educational seminars, whether live, recorded, or through other electronic means.

(c) The proceeds of the Investor Protection and Education Trust Fund shall not be used for:

(1) Travel expenses of the Secretary of State or staff of the Department of the Secretary of State, unless those expenses are directly related to specific investor protection and education activities performed in accordance with this section.

(2) General operating expenses of the Department of the Secretary of State, or to supplement General Fund appropriations to the Department of the Secretary of State for other than investor education and protection activities.

(3) Promoting the Secretary of State or the Department of the Secretary of State.

(d) Expenditures from the Investor Protection and Education Trust Fund shall be made in compliance with State purchasing and contracting requirements for competitive bidding in accordance with the provisions of Article 3 of Chapter 143 of the General Statutes.

(e) Revenues derived from consent orders resulting from negotiated settlements of securities investigations by the Secretary of State shall be credited to the Fund. The State Treasurer shall invest the assets of the Fund according to law. Any interest or other investment income earned by the Investor Protection and Education Trust Fund shall remain in the Fund. The balance of the Investor Protection and Education Trust Fund at the end of each fiscal year shall not revert to the General Fund.

(f) Beginning January 1, 1997, the Department of the Secretary of State shall report annually to the General Assembly's Fiscal Research Division and to the Joint Legislative Commission on Governmental Operations on the expenditures from the Investor Protection and Education Trust Fund and on the effectiveness of investor awareness education efforts of the Department of the Secretary of State."

PART 13A. STATE BOARD OF ELECTIONS

Requested by: Representatives Ives, Lemmond,
Senators Warren, Sherron

EQUIPMENT FUNDS

Sec. 13A. Notwithstanding G.S. 143–16.3, the State Board of Elections may use up to fifty thousand dollars ($50,000) of funds available to purchase a copy machine.

PART 14. OFFICE OF STATE CONTROLLER

Requested by: Representative Creech,
Senator Warren

NORTH CAROLINA INFORMATION HIGHWAY

Sec. 14. (a) The funds appropriated in this act to the Office of the State Controller for the operation of the North Carolina Information Highway shall be used only for costs incurred by the Office of the State Controller related to the operations and support of the North Carolina Information Highway. No funds appropriated in this act shall be expended to pay Minimum Monthly usage charges for North Carolina Information Highway Services.

(b) Of the funds appropriated to the Office of the State Controller for the North Carolina Information Highway (NCIH), an amount not to exceed five hundred thousand dollars ($500,000) shall be used to expand the long distance capacity and provide for the establishment of regional hubs in each of the seven LATAS in North Carolina. The remaining funds shall be used to help defray the costs of existing NCIH sites except those located at university sites other than East Carolina University academic affairs campus. Any savings accrued shall be placed in reserve in the Office of the State Controller for consideration by the 1997 General Assembly.

(c) Beginning October 1, 1996, the State Controller shall report quarterly to the Joint Legislative Commission on Governmental Operations regarding the costs incurred by the Office of the State Controller related to the operations and support of the North Carolina Information Highway and the savings placed in reserve in the Office of the State Controller.

Requested by: Representatives Ives, Lemmond,
Senators Warren, Little, Sherron

RESERVE FOR THE YEAR 2000 CONVERSION OF THE STATE'S COMPUTER SYSTEM

Sec. 14.1. The Office of the State Controller shall include in its charges for data processing services costs of converting computer applications to operate properly at the turn of the century. The Office of the State Controller shall develop procedures for managing the year 2000 conversion.

PART 15. DEPARTMENT OF REVENUE

Requested by: Senators Kerr, Sherron, Hoyle,
Representatives Gray, Allred

EXPAND HOMESTEAD EXEMPTION

Sec. 15.1. (a) G.S. 105–277.1 reads as rewritten:

"**§ 105–277.1. Property classified for taxation at reduced valuation.**

(a) Exclusion. — The following class of property is designated a special class of property under Article V, Sec. 2(2) of the North Carolina Constitution and shall be

assessed for taxation in accordance with this section. The first ~~fifteen thousand dollars ($15,000)~~ twenty thousand dollars ($20,000) in appraised value of a permanent residence owned and occupied by a qualifying owner is excluded from taxation. A qualifying owner is an owner who meets all of the following requirements as of January 1 preceding the taxable year for which the benefit is claimed:

(1) Is at least 65 years of age or totally and permanently disabled.
(2) Has an income for the preceding calendar year of not more than ~~eleven thousand dollars ($11,000).~~ fifteen thousand dollars ($15,000).
(3) Is a North Carolina resident.

An otherwise qualifying owner does not lose the benefit of this exclusion because of a temporary absence from his or her permanent residence for reasons of health, or because of an extended absence while confined to a rest home or nursing home, so long as the residence is unoccupied or occupied by the owner's spouse or other dependent.

(b) Definitions. — When used in this section, the following definitions shall apply:

(1) Code. — The Internal Revenue Code, as defined in G.S. 105–228.90.
(1a) Income. — Adjusted gross income, as defined in section 62 of the Code, plus all other moneys received from every source other than gifts or inheritances received from a spouse, lineal ancestor, or lineal descendant. For married applicants residing with their spouses, the income of both spouses must be included, whether or not the property is in both names.
(1b) Owner. — A person who holds legal or equitable title, whether individually, as a tenant by the entirety, a joint tenant, or a tenant in common, or as the holder of a life estate or an estate for the life of another. A manufactured home jointly owned by husband and wife is considered property held by the entirety.
(2) Repealed by Session Laws 1993, c. 360, s. 1.
(2a) Repealed by Session Laws 1985 (Reg. Sess., 1986), c. 982, s. 20.
(3) Permanent residence. — A person's legal residence. It includes the dwelling, the dwelling site, not to exceed one acre, and related improvements. The dwelling may be a single family residence, a unit in a multi–family residential complex, or a manufactured home.
(4) Totally and permanently disabled. — A person is totally and permanently disabled if the person has a physical or mental impairment that substantially precludes him or her from obtaining gainful employment and appears reasonably certain to continue without substantial improvement throughout his or her life.

(c) Application. — An application for the exclusion provided by this section should be filed during the regular listing period, but may be filed and must be accepted at any time up to and through April 15 preceding the tax year for which the exclusion is claimed. When property is owned by two or more persons other than husband and wife and one or more of them qualifies for this exclusion, each owner shall apply separately for his or her proportionate share of the exclusion.

(1) Elderly Applicants. — Persons 65 years of age or older may apply for this exclusion by entering the appropriate information on a form made available by the assessor under G.S. 105–282.1.
(2) Disabled Applicants. — Persons who are totally and permanently disabled may apply for this exclusion by (i) entering the appropriate information on a form made available by the assessor under

G.S. 105–282.1 and (ii) furnishing acceptable proof of their disability. The proof shall be in the form of a certificate from a physician licensed to practice medicine in North Carolina or from a governmental agency authorized to determine qualification for disability benefits. After a disabled applicant has qualified for this classification, he or she shall not be required to furnish an additional certificate unless the applicant's disability is reduced to the extent that the applicant could no longer be certified for the taxation at reduced valuation.

(d) Multiple Ownership. — A permanent residence owned and occupied by husband and wife as tenants by the entirety is entitled to the full benefit of this exclusion notwithstanding that only one of them meets the age or disability requirements of this section. When a permanent residence is owned and occupied by two or more persons other than husband and wife and one or more of the owners qualifies for this exclusion, each qualifying owner is entitled to the full amount of the exclusion not to exceed his or her proportionate share of the valuation of the property. No part of an exclusion available to one co–owner may be claimed by any other co–owner and in no event may the total exclusion allowed for a permanent residence exceed ~~fifteen thousand dollars ($15,000).~~ the exclusion amount provided in this section."

(b) G.S. 105–309(f) reads as rewritten:

"(f) The following information shall appear on each abstract or on an information sheet distributed with the abstract. The abstract or sheet must include the address and telephone number of the assessor below the notice required by this subsection. The notice shall read as follows:

'PROPERTY TAX RELIEF FOR ELDERLY AND PERMANENTLY DISABLED PERSONS.

North Carolina excludes from property taxes the first ~~fifteen thousand dollars ($15,000)~~ twenty thousand dollars ($20,000) in appraised value of a permanent residence owned and occupied by North Carolina residents aged 65 or older or totally and permanently disabled whose income does not exceed ~~eleven thousand dollars ($11,000).~~ fifteen thousand dollars ($15,000). Income means the owner's adjusted gross income as determined for federal income tax purposes, plus all moneys received other than gifts or inheritances received from a spouse, lineal ancestor or lineal descendant.

If you received this exclusion in (assessor insert previous year), you do not need to apply again unless you have changed your permanent residence. If you received the exclusion in (assessor insert previous year) and your income in (assessor insert previous year) was above ~~eleven thousand dollars ($11,000),~~ fifteen thousand dollars ($15,000), you must notify the assessor. If you received the exclusion in (assessor insert previous year) because you were totally and permanently disabled and you are no longer totally and permanently disabled, you must notify the assessor. If the person receiving the exclusion in (assessor insert previous year) has died, the person required by law to list the property must notify the assessor. Failure to make any of the notices required by this paragraph before April 15 will result in penalties and interest.

If you did not receive the exclusion in (assessor insert previous year) but are now eligible, you may obtain a copy of an application from the assessor. It must be filed by April 15.'"

(c) G.S. 105-277.1A reads as rewritten:

"**§ 105-277.1A. Property classified for taxation at reduced valuation; duties of tax collectors; reimbursement of localities for portion of tax lost.**

(a) On September 1, 1990, the tax collector of each county and the tax collector of each city shall furnish to the Secretary of Revenue a list containing the name and address of each person who has qualified in that year for the exemption provided in G.S. 105-277.1. The list shall also contain for each name the total amount of property exempted, the tax rate the property is subject to, and the product obtained by multiplying those two numbers by each other. The lists shall be accompanied by an affidavit attesting to the accuracy of the list and shall all be on a form prescribed by the Secretary of Revenue.

(a1) On December 1, 1997, the tax collector of each county and the tax collector of each city shall furnish to the Secretary of Revenue two lists containing the name and address of each taxpayer who has qualified in that year for the exemption provided in G.S. 105-277.1. The first list shall include those taxpayers whose income was above eleven thousand dollars ($11,000) and the second list shall include those taxpayers whose income was eleven thousand dollars ($11,000) or less. On the first list, the tax collector shall provide for each name the total amount of property exempted and on the second list, the tax collector shall provide for each name the amount of property above fifteen thousand dollars ($15,000) exempted. On both lists, the tax collector shall provide the tax rate the property is subject to and the product obtained by multiplying the tax rate by the amount of property. The lists shall be accompanied by an affidavit attesting to the accuracy of the list and shall be on a form prescribed by the Secretary of Revenue.

~~(b) In addition to the list required by subsection (a) of this section, the county or city may provide a supplemental list on December 1.~~

(c) The Secretary of Revenue may, for cause, grant an extension for the submission of ~~the~~ a list required by this section.

(d) Before May 31, 1991, the Secretary of Revenue shall distribute to the county or city fifty percent (50%) of the total for the entire list provided pursuant to subsection (a) of this section of the product obtained by multiplying the tax exemption for each taxpayer times the applicable tax rate. Each year thereafter, on or before May 31, the Secretary of Revenue shall pay to each county and city that was entitled to receive a distribution under this ~~section~~ subsection in 1991 the amount it was entitled to receive in 1991.

(d1) Before May 31, 1998, the Secretary of Revenue shall distribute to the county or city fifty percent (50%) of the total for both lists provided the preceding December 1 pursuant to subsection (a1) of this section of the product obtained by multiplying the applicable tax rate times the amount listed for each taxpayer. Before May 31, 1999, the Secretary of Revenue shall pay to each county and city the amount it received under this subsection in 1998.

(e) Any funds received by any county or city pursuant to this section because the county or city was collecting taxes for another unit of government or special district shall be credited to the funds of that other unit or district in accordance with regulations issued by the Local Government Commission.

(f) In order to pay for the reimbursement under this section and the cost to the Department of Revenue of administering the reimbursement, the Secretary of Revenue shall draw from collections received under Division I of Article 4 of this Chapter an amount equal to the reimbursement and the cost of administration."

(d) This section is effective for taxes imposed for taxable years beginning on or after July 1, 1997.

Requested by: Senators Perdue, Warren, Kerr,
Representatives Holmes, Creech, Esposito

FEDERAL PENSION WITHHOLDING

Sec. 15.2. Of the funds appropriated to the Department of Revenue for the 1996–97 fiscal year the sum of eighty–nine thousand seven hundred fifty dollars ($89,750) shall be used for start–up costs for participation in the United States Office of Personnel Management's voluntary program for withholding State income tax from civil service pension benefits.

Requested by: Senator Plyler,
Representatives Holmes, Creech, Esposito

MODIFY STATE PORTS TAX INCENTIVE

Sec. 15.3. (a) G.S. 105–130.41(a) reads as rewritten:

"(a) Credit. — A taxpayer whose waterborne cargo is loaded onto or unloaded from an ocean carrier calling at the State–owned port terminal at Wilmington or Morehead City, without consideration of the terms under which the cargo is moved, is allowed a credit against the tax imposed by this Division. The amount of credit allowed is equal to the excess of the wharfage, handling (in or out), and throughput charges assessed on the cargo for the current taxable year over an amount equal to the average of the charges for the current taxable year and the two preceding taxable years. The credit applies to <u>forest products,</u> break–bulk cargo and container cargo, including less–than–container–load cargo, that is loaded onto or unloaded from an ocean carrier calling at either the Wilmington or Morehead City port terminal and to bulk cargo that is loaded onto or unloaded from an ocean carrier calling at the Morehead City port terminal. To obtain the credit, taxpayers must provide to the Secretary a statement from the State Ports Authority certifying the amount of charges for which a credit is claimed and any other information required by the Secretary."

(b) G.S. 105–151.22(a) reads as rewritten:

"(a) Credit. — A taxpayer whose waterborne cargo is loaded onto or unloaded from an ocean carrier calling at the State–owned port terminal at Wilmington or Morehead City, without consideration of the terms under which the cargo is moved, is allowed a credit against the tax imposed by this Division. The amount of credit allowed is equal to the excess of the wharfage, handling (in or out), and throughput charges assessed on the cargo for the current taxable year over an amount equal to the average of the charges for the current taxable year and the two preceding taxable years. The credit applies to <u>forest products,</u> break–bulk cargo and container cargo, including less–than–container–load cargo, that is loaded onto or unloaded from an ocean carrier calling at either the Wilmington or Morehead City port terminal and to bulk cargo that is loaded onto or unloaded from an ocean carrier calling at the Morehead City port terminal. To obtain the credit, taxpayers must provide to the Secretary a statement from the State Ports Authority certifying the amount of charges for which a credit is claimed and any other information required by the Secretary."

(c) This section is effective for taxable years beginning on or after January 1, 1996.

Requested by: Senator Perdue,
Representative Gray

SOFT DRINK TAX ON MILK DRINKS

Sec. 15.4. (a) G.S. 105–113.46 reads as rewritten:

"**§ 105–113.46. Exemptions.**

The taxes imposed by this Article do not apply to an item that is listed in this section and, if the item is a bottled soft drink or a juice concentrate included in subdivision ~~(2), (3),~~ (3) or (3a), is registered with the Secretary in accordance with G.S. 105–113.47:

~~(1) A natural liquid milk drink produced by a farmer or a dairy.~~

(2) A bottled soft drink that contains ~~at least thirty-five percent (35%) natural milk measured by volume and is not exempt under subdivision (1).~~ milk.

(3) Natural juice.

(3a) Juice that would be natural if it did not contain sugar.

(4) Natural water.

(5) A base product used to make a bottled soft drink subject to tax under this Article.

(6) Coffee or tea in any form.

(7) A bottled soft drink or base product sold outside the State.

(8) A bottled soft drink or base product sold to the federal government.

(9) A base product for domestic use that either contains milk or, according to directions on the base product's container, requires milk to be added to make a soft drink."

(b) G.S. 105–113.47(a) reads as rewritten:

"(a) Requirement. — To be exempt from the tax imposed by this Article, the following items must be registered with the Secretary as an exempt item:

~~(1) A bottled soft drink that contains at least thirty-five percent (35%) natural milk measured by volume and is not exempt under G.S. 105–113.46(1).~~

(2) A natural juice bottled soft drink.

(3) A natural juice concentrate.

(4) A juice concentrate or juice bottled soft drink that would be natural if it did not contain sugar."

(c) This section is effective retroactively as of October 1, 1991. A taxpayer who paid an excise tax on a product that is exempt under this section may apply for a refund of the tax by submitting an application for refund to the Department of Revenue by January 1, 1997. A taxpayer who submits a timely application may receive a refund in an amount equal to the amount of taxes paid on the item since October 1, 1991, along with interest at the rate provided in G.S. 105–266 for refunds of overpaid taxes. If any penalties have been assessed for failure to pay this tax, these penalties shall be waived and, if the penalties have been paid, they shall be refunded to the taxpayer. The application must be in the form and contain the information required by the Secretary of Revenue.

Requested by: Senators Warren, Sherron,
Representatives Ives, Lemmond

DATA PROCESSING FUNDS

Sec. 15.5. (a) Of the funds appropriated to the Department of Revenue for the 1995–96 fiscal year, the sum of two million dollars ($2,000,000) shall not revert at the end of the fiscal year but shall remain available for expenditure to cover a deficit for the 1995–96 fiscal year of up to two million dollars ($2,000,000)

in the funds available to pay the State Information Processing System for data processing costs.

(b) This section becomes effective June 30, 1996.

Requested by: Representatives Ives, Lemmond,
Senators Warren, Sherron

ASSESS REVENUE STAFF REQUIREMENTS

Sec. 15.6. The State Budget Office, Management and Productivity Unit shall work with the Department of Revenue to assess the Department's staff requirements. Specifically, it shall determine the variety of unit costs related to workload as influenced by existing laws and resulting policies and procedures adopted by the Department of Revenue.

The State Budget Officer and the Secretary of Revenue shall make a joint final report to the House and Senate Appropriations Subcommittees on General Government by March 1, 1997, on the results of this assessment.

Requested by: Senators Plyler, Perdue, Odom,
Representatives Holmes, Creech, Esposito

NC MEMORIAL HOSPITAL SALES TAX REFUNDS

Sec. 15.7. (a) G.S. 105–164.14(c) is amended by adding a new subdivision to read:

"(21) The University of North Carolina Hospitals at Chapel Hill."

(b) This section becomes effective January 1, 1997, and applies to taxes paid on or after that date.

PART 16. COLLEGES AND UNIVERSITIES

Requested by: Representatives Grady, Preston, Cummings,
Senators Plexico, Winner, Little, Conder

AID TO STUDENTS ATTENDING PRIVATE COLLEGES

Sec. 16. Section 15 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 15. (a) Funds appropriated in this act to the Board of Governors of The University of North Carolina for aid to private colleges shall be disbursed in accordance with the provisions of G.S. 116–19, 116–21, and 116–22. These funds shall provide up to ~~five hundred fifty dollars ($550.00)~~ six hundred dollars ($600.00) per full–time equivalent North Carolina undergraduate student enrolled at a private institution as of October 1 each year.

These funds shall be placed in a separate, identifiable account in each eligible institution's budget or chart of accounts. All funds in this account shall be provided as scholarship funds for needy North Carolina students during the fiscal year. Each student awarded a scholarship from this account shall be notified of the source of the funds and of the amount of the award. Funds not utilized under G.S. 116–19 shall be for the tuition grant program as defined in subsection (b) of this section.

(b) In addition to any funds appropriated pursuant to G.S. 116–19 and in addition to all other financial assistance made available to private educational institutions located within the State, or to students attending these institutions, there is granted to each full–time North Carolina undergraduate student attending an approved institution as defined in G.S. 116–22, a sum, not to exceed ~~one thousand two hundred fifty dollars ($1,250)~~ one thousand three hundred dollars ($1,300) per academic year, which shall be distributed to the student as hereinafter provided.

The tuition grants provided for in this section shall be administered by the State Education Assistance Authority pursuant to rules adopted by the State Education Assistance Authority not inconsistent with this section. The State Education Assistance Authority shall not approve any grant until it receives proper certification from an approved institution that the student applying for the grant is an eligible student. Upon receipt of the certification, the State Education Assistance Authority shall remit at such times as it shall prescribe the grant to the approved institution on behalf, and to the credit, of the student.

In the event a student on whose behalf a grant has been paid is not enrolled and carrying a minimum academic load as of the tenth classroom day following the beginning of the school term for which the grant was paid, the institution shall refund the full amount of the grant to the State Education Assistance Authority. Each approved institution shall be subject to examination by the State Auditor for the purpose of determining whether the institution has properly certified eligibility and enrollment of students and credited grants paid on the behalf of the students.

In the event there are not sufficient funds to provide each eligible student with a full grant:

(1) The Board of Governors of The University of North Carolina, with the approval of the Office of State Budget and Management, may transfer available funds to meet the needs of the programs provided by subsections (a) and (b) of this section; and

(2) Each eligible student shall receive a pro rata share of funds then available for the remainder of the academic year within the fiscal period covered by the current appropriation.

Any remaining funds shall revert to the General Fund.

(c) Expenditures made pursuant to this section may be used only for secular educational purposes at nonprofit institutions of higher learning. Expenditures made pursuant to this section shall not be used for any student who:

(1) Is incarcerated in a State or federal correctional facility for committing a Class A, B, B1, or B2 felony; or

(2) Is incarcerated in a State or federal correctional facility for committing a Class C through I felony and is not eligible for parole or release within 10 years.

(d) The State Education Assistance Authority shall document the number of full-time equivalent North Carolina undergraduate students that are enrolled in off-campus programs and the State funds collected by each institution pursuant to G.S. 116-19 for those students. The State Education Assistance Authority shall also document the number of scholarships and the amount of the scholarships that are awarded under G.S. 116-19 to students enrolled in off-campus programs. An 'off-campus program' is any program offered for degree credit away from the institution's main permanent campus.

The State Education Assistance Authority shall report to the Joint Legislative Commission on Governmental Operations by March 1, 1997, regarding its findings."

Requested by: Representatives Grady, Preston,
Senators Plexico, Winner

DISTANCE LEARNING INITIATIVES

Sec. 16.1. Of the funds appropriated by this act to The University of North Carolina Board of Governors, the sum of one million two hundred thousand dollars ($1,200,000) in nonrecurring funds and the sum of five hundred thousand

dollars ($500,000) in recurring funds shall be allocated to North Carolina State University to furnish the Engineering Graduate Research Center and to operate distance learning programs. Engineering programs offered through this funding shall be a cooperative effort among North Carolina State University, North Carolina Agricultural and Technical State University, and the University of North Carolina at Charlotte.

An additional amount of two million two hundred fifty–five thousand dollars ($2,255,000) appropriated by this act to the Board of Governors shall be allocated and used for distance learning and capacity enhancing alternatives, including expansion of the "2 + 2" engineering programs offered through North Carolina State University, incentives for summer school enrollments, and other initiatives planned by the Board of Governors.

Requested by: Representatives Grady, Preston, Cummings,
Senators Plexico, Winner, Little, Conder

UNC EQUITY OF FUNDING

Sec. 16.2. (a) Notwithstanding G.S. 116–30.3, the five constituent institutions (Appalachian State University, East Carolina University, University of North Carolina at Charlotte, University of North Carolina at Greensboro, and University of North Carolina at Wilmington) cited in the study of equity of funding among the constituent institutions of The University of North Carolina as receiving lower than average per pupil funding in several comparisons, shall not be required to revert two percent (2%) of their General Fund appropriations for the 1996–97 fiscal year. These funds shall be used to improve areas of need that can be addressed with nonrecurring funds.

(b) Of the funds appropriated to the Board of Governors of The University of North Carolina for the 1996–97 fiscal year, the sum of two million two hundred twenty–six thousand dollars ($2,226,000) in nonrecurring funds shall be used to assure that the total funds retained pursuant to subsection (a) of this section and the additional funds from this allocation shall provide a minimum of thirty–seven and one–half percent (37.5%) of the funding needs identified for each of the campuses cited as having funding below an equitable level in the Board of Governors' Phase I final report on "An Analysis of Funding Equity in The University of North Carolina."

Requested by: Representatives Grady, Preston,
Senators Plexico, Winner

CENTER FOR THE PREVENTION OF SCHOOL VIOLENCE

Sec. 16.3. The General Assembly recommends that the Governor continue funding the Center for Prevention of School Violence from the current source of grant monies through the 1996–97 fiscal year.

Requested by: Representatives Holmes, Creech, Esposito, Grady,
Preston, Cummings,
Senators Plexico, Winner, Little, Conder

EVALUATE UNIVERSITY RESIDENCES FOR FIRE SAFETY AND REPORT ON ESTIMATED COST TO INSTALL ANY NEEDED FIRE DETECTION AND SAFETY EQUIPMENT

Sec. 16.4. (a) The Board of Governors of The University of North Carolina shall survey each constituent institution and the North Carolina School of Science and Mathematics regarding its campus residential facilities, potential fire hazards at those facilities, and the fire detection and safety equipment currently

installed in those facilities. Each constituent institution shall indicate whether each residential facility on its campus has an adequate fire alarm system including smoke detectors and fire sprinklers, and, if not, the estimated cost to install adequate fire detection and safety equipment. The Board of Governors shall report as soon as possible to the General Assembly regarding the findings of the survey.

(b) The Board of Governors of The University of North Carolina shall begin to address fire safety needs in campus residential facilities including the North Carolina School of Science and Mathematics during the 1996–97 fiscal year. The Board of Governors shall give top priority to those fire safety needs that are determined to be the most egregious and shall address those needs first. The Board of Governors shall use available reserves in institutional housing trust funds, as well as funds allocated to the Board from the Reserve for Repairs and Renovations to comply with this section. Should the Board of Governors allocate funds from the Reserve for Repairs and Renovations for fire safety improvements in campus residential facilities not supported from the General Fund, it shall first find that sufficient funds are not available from other sources. Any such finding shall be included in the Board's submission to the Joint Legislative Commission on Governmental Operations on the proposed allocation of funds.

(c) The Board of Governors of The University of North Carolina shall include in its budget requests for the 1997–99 biennium the estimated amount needed to address any remaining fire safety needs of the residential facilities located on its campuses including the North Carolina School of Science and Mathematics.

Requested by: Senators Plexico, Winner, Little, Conder,
Representatives Grady, Preston, Cummings

FACILITATE FINANCING OF FIRE WARNING AND SUPPLEMENTAL FIRE PROTECTION SYSTEMS IN STUDENT HOUSING

Sec. 16.5. (a) Article 1 of Chapter 116 of the General Statutes is amended by adding a new Part to read:

"Part 7. Fire Safety.

"**§ 116–44.6. Definitions.**

Unless the context clearly requires another meaning, the following definitions apply in this Part:

(1) Fraternity or sorority. — A social, professional, or educational incorporated organization that, by official recognition, is affiliated or identified with a public or nonpublic institution of higher education in this State and which maintains a living facility that provides accommodations for five or more students enrolled at the recognition–granting institution of higher education.

(2) Fund. — The Fire Safety Loan Fund authorized by this Part.

(3) Living facility. — A sleeping facility capable of overnight accommodation and other capabilities which support continuous occupancy.

(4) Residence hall. — A living facility maintained by a public or nonpublic institution of higher education in North Carolina or by the North Carolina School of Science and Mathematics for use by enrolled students.

(5) Supplemental fire safety protection system. — A water system capability which is sized to accommodate the added water supply pressure and volume required for building fire protection.

(6) Water system. —

a. A city, county, or sanitary district; or

b. A water and sewer authority, a metropolitan water district, or county water and sewer district, established pursuant to Chapter 162A of the General Statutes.

"**§ 116–44.7. Exemption from certain fees and charges.**

No water system serving a residence hall or fraternity or sorority housing shall levy or collect any water–meter fee, water–hydrant fee, tap fee, or similar service fee on a residence hall or fraternity or sorority house with respect to supporting a supplemental fire safety protection system in excess of the actual cost to the water system to support the fire safety protection system.

"**§ 116–44.8. Fire Safety Loan Fund.**

(a) There is established the Fire Safety Loan Fund. The Fund shall be a revolving loan fund for installing fire safety equipment and systems in fraternity and sorority housing.

(b) The Fund shall be administered by the Office of the State Treasurer, and that office may establish the policies and procedures that it deems appropriate for the operation of the Fund. The Office of the State Treasurer may enlist the assistance of other State departments or entities which have expertise that would be useful in administering the Fund, and those State departments or entities shall provide the assistance requested.

(c) The Fund shall be operated on a revolving basis with proceeds from the repayment of prior loans being made available for subsequent loans.

(d) Loans from the Fund shall be secured by a first or second mortgage or other pledge. Loans shall be made for a period not to exceed 10 years. Interest shall not be charged on loans from the Fund."

(b) Of the funds allocated by this act to the Board of Governors of The University of North Carolina from the Reserve for Repairs and Renovations, the sum of one million two hundred sixty–three thousand eight hundred three dollars ($1,263,803) for the 1996–97 fiscal year shall be used to add central fire alarm and warning systems to residence halls at the constituent institutions of The University and at the North Carolina School of Science and Mathematics that are not currently so equipped. The central alarm and warning systems to be installed shall be interconnected with a supervisory campuswide system of reporting into a station that is continuously monitored.

(c) Of the funds appropriated to the Office of the State Treasurer, the sum of one million dollars ($1,000,000) for the 1996–97 fiscal year shall be used for the purpose of establishing the Fire Safety Loan Fund for installing fire safety equipment and systems in fraternity and sorority housing at public and non-public institutions of higher education located in North Carolina as authorized by G.S. 116–44.8.

(d) Subsection (a) of this section is effective upon ratification.

Requested by: Senators Perdue, Plexico, Winner, Little, Conder, Representatives Grady, Preston, Cummings

REPORT ON SERVICES PROVIDED BY FACULTY AND STUDENT ADVISORS

Sec. 16.6. The Board of Governors of The University of North Carolina shall report to the Joint Legislative Education Oversight Committee prior to January 2, 1997, on the implementation by each constituent institution of the recommendations included in the report on "Academic Advising in the University of North Carolina." The report shall include the following information collected

from each constituent institution: (i) the progress of the institution's initiative to improve advising, (ii) the results of the senior survey referenced in the report on "Academic Advising in the University of North Carolina", and (iii) the plans of each constituent institution to address specifically any item of student dissatisfaction on the senior survey that had a score of dissatisfaction above thirty–three percent (33%).

Requested by: Senators Plexico, Winner, Little, Conder,
Representatives Grady, Preston, Cummings, McMahan

PARENTAL SAVINGS TRUST FUND

Sec. 16.7. Article 23 of Chapter 116 of the General Statutes is amended by adding a new section to read:

"**§ 116–209.25. Parental Savings Trust Fund.**

(a) Policy. — The General Assembly of North Carolina hereby finds and declares that encouraging parents and other interested parties to save for the postsecondary education expenses of eligible students is fully consistent with and furthers the long–established policy of the State to encourage, promote, and assist education as more fully set forth in G.S. 116–201(a).

(b) Parental Savings Trust Fund. — There is established a parental savings trust fund to be administered by the State Education Assistance Authority to enable qualified parents to save funds to meet the costs of the postsecondary education expenses of eligible students.

(c) Contributions to the Trust Fund. — The Authority is authorized to accept, hold, and disburse contributions, and interest earned on such contributions, from qualified parents and other interested parties in the Parental Savings Trust Fund. The contributions to the Parental Savings Trust Fund shall be held by the Authority in a separate institutional trust fund and, as such, contributions to the trust fund shall be invested by the State Treasurer as authorized in G.S. 147–69.2(b)(1) through (6) and the applicable provisions of G.S. 147–69.3. The contributions to the Parental Savings Trust Fund shall not be considered State moneys, assets of the State, or State revenue for any purpose.

(d) Administration of the Trust Fund. — The Authority is authorized to develop and perform all functions necessary and desirable to administer the Parental Savings Trust Fund and to provide such other services as the Authority shall deem necessary to facilitate participation in the Parental Savings Trust Fund.

(e) Loan Program. — The Authority is authorized to develop and administer a loan program in conjunction with the Parental Savings Trust Fund to provide loan assistance to qualified parents and interested parties in order to facilitate the postsecondary education of eligible students. All funds appropriated to, or otherwise received by the Authority for loans under this section, all funds received as repayment of such loans, and all interest earned on these funds shall be placed in an institutional trust fund. This institutional trust fund may be used only for loans made to qualified parents and interested parties who contributed to the Parental Savings Trust Fund and administrative costs associated with the recovery of funds advanced under this loan program."

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plexico, Winner

SUPERCOMPUTER AND THE RESEARCH AND EDUCATION NETWORK/ BOARD OF GOVERNORS TO MAINTAIN FUNDS

Sec. 16.8. The Board of Governors of The University of North Carolina

shall maintain the funds transferred by this act for the purchase of the Supercomputer and the Research and Education Network in a central identifiable budget purpose.

Requested by: Senators Plyler, Plexico, Winner, Little, Conder, Representatives Grady, Preston, Cummings

AGRICULTURE RESEARCH FUNDS

Sec. 16.9. Of the funds appropriated to the Board of Governors of The University of North Carolina for the 1996–97 fiscal year the following sums shall be allocated as follows:

(1) The sum of $1,000,000 in nonrecurring funds shall be allocated for research efforts focused upon eradicating diseases in the State's turkey population. Any of these funds remaining at the end of the 1996–97 fiscal year shall not revert but shall remain available for use pursuant to this section.
(2) The sum of $90,000 in nonrecurring funds shall be allocated to enhance fish hatcheries research and production.
(3) The sum of $250,000 in nonrecurring funds shall be allocated for turfgrass research.

Requested by: Senators Plexico, Winner, Little, Conder, Representatives Grady, Preston, Cummings

UNC FUNDING FOR NEW ENROLLMENT POLICY CHANGE

Sec. 16.10. In requesting funds for additional students, the Board of Governors of The University of North Carolina shall revise its methodology to ensure sufficient funding for support services needed due to enrollment growth. The policy change shall be implemented for the 1996–97 fiscal year and each fiscal year thereafter. Funds are provided in this act to implement this policy change for the 1996–97 fiscal year.

Requested by: Senators Plexico, Winner, Little, Conder, Representatives Grady, Preston, Cummings

ACADEMIC ENHANCEMENT FUNDS

Sec. 16.11. Of the funds appropriated to The University of North Carolina Board of Governors, the sum of seventeen million eight hundred thousand dollars ($17,800,000) shall be allocated to constituent institutions classified as Research University I campuses in direct proportion to the funds to be raised on each campus for the 1996–97 fiscal year from the tuition increases authorized under Section 15.15 of Chapter 507 of the 1995 Session Laws.

Requested by: Senators Plexico, Winner, Little, Conder, Representatives Grady, Preston, Cummings

COMPREHENSIVE PLAN FOR HIGHER EDUCATION ENROLLMENT

Sec. 16.12. Subsection (a) of Section 15.12 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"(a) The Education Cabinet shall develop a comprehensive plan to meet the projected increase in higher education enrollments that result from the increased number of high school graduates and nontraditional students needing worker retraining. The plan shall address questions of capacity and potential increases in space utilization. The plan shall also consider several funding strategies to encourage more balanced enrollment, such as funding additional credit hours above current levels for summer school and for off–campus degree programs, and incentive funding for private colleges to enroll more North Carolina residents. The

Education Cabinet shall consider the capacity of the physical facilities of the private colleges and universities in developing its plan for additional incentives for private colleges.

The Education Cabinet shall also coordinate the planning efforts of the Board of Governors of The University of North Carolina, the Department of Community Colleges, and the North Carolina Association of Private and Independent Colleges and Universities to meet the projected increase in higher education enrollments.

A representative from the North Carolina Association of Private and Independent Colleges and Universities shall participate in the deliberations and decision-making of the Education Cabinet in accordance with G.S. 116C-1. The Board of Governors and the Department of Community Colleges shall provide staff assistance to the Education Cabinet in the development of the comprehensive plan. The Education Cabinet shall estimate the fiscal impact of all alternatives and proposals for dealing with the projected enrollment.

The Education Cabinet shall make a preliminary report on the comprehensive plan to the Joint Education Oversight Committee by April 15, 1996, and shall submit a final report to the Committee by November 15, 1996."

Requested by: Senators Plexico, Winner, Little, Conder,
Representatives Grady, Preston, Cummings

HEALTH INSURANCE FOR GRADUATE ASSISTANTS

Sec. 16.13. Notwithstanding any other provision of law, a special responsibility constituent institution of The University of North Carolina may use the funding flexibility granted to it to provide health insurance for graduate assistants from funds carried forward to the next fiscal year pursuant to G.S. 116-30.3.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

UNIVERSITY OF NORTH CAROLINA SYSTEM — FUNDS TO REWARD EXCELLENCE IN TEACHING

Sec. 16.14. Effective September 1, 1996, the Board of Governors of The University of North Carolina shall develop policies for the distribution of an average one-half percent (1/2%) salary increase for teaching faculty members, to be given to those who have demonstrated excellence in teaching, except that the policies shall not apply to teaching faculty members at the University of North Carolina at Chapel Hill or at North Carolina State University.

PART 17. COMMUNITY COLLEGES

Requested by: Representatives Russell, Grady, Preston,
Senators Plexico, Winner

COMPUTATION OF FTE FOR COURSES TAUGHT IN PRISONS

Sec. 17. Community colleges shall compute full-time equivalent (FTE) student hours on the bases of both contact hours and student membership hours for curriculum education programs that are taught in prison facilities and that are offered in compliance with the State Board of Community College's correctional course offering matrix. The State Board of Community Colleges shall report both counts to the General Assembly by January 15, 1997.

The 1997 General Assembly shall consider the question of whether to compute FTE for these courses on the basis of contact hours or on the basis of student membership hours.

Requested by: Representatives Russell, Grady, Preston, Cummings,
Senators Perdue, Plexico, Winner, Little, Conder

IN-STATE TUITION FOR FAMILIES TRANSFERRED INTO STATE

Sec. 17.1. (a) G.S. 115D-39 reads as rewritten:

"**§ 115D-39. Student tuition and fees.**

The State Board of Community Colleges shall fix and regulate all tuition and fees charged to students for applying to or attending any institution pursuant to this Chapter.

The receipts from all student tuition and fees, other than student activity fees, shall be State funds and shall be deposited as provided by regulations of the State Board of Community Colleges.

The legal resident limitation with respect to tuition, set forth in G.S. 116-143.1 and G.S. 116-143.3, shall apply to students attending institutions operating pursuant to this Chapter; provided, however, that when an employer other than the armed services, as that term is defined in G.S. 116-143.3, pays tuition for an employee to attend an institution operating pursuant to this Chapter and when the employee works at a North Carolina business location, the employer shall be charged the in-State tuition ~~rate.~~ rate; provided further, however, a community college may charge in-State tuition to up to one percent (1%) of its out-of-state students, rounded up to the next whole number, to accommodate the families transferred by business, the families transferred by industry, or the civilian families transferred by the military, consistent with the provisions of G.S. 116-143.3, into the State. Notwithstanding these requirements, a refugee who lawfully entered the United States and who is living in this State shall be deemed to qualify as a domiciliary of this State under G.S. 116-143.1(a)(1) and as a State resident for community college tuition purposes as defined in G.S. 116-143.1(a)(2)."

(b) The State Board of Community Colleges shall adopt rules to implement this section, effective for the fall 1996 quarter.

Requested by: Representatives Grady, Preston,
Senators Plexico, Winner

ELIMINATION OF BARRIERS AMONG PUBLIC SCHOOLS, COMMUNITY COLLEGES, AND UNIVERSITIES/STUDY

Sec. 17.2. (a) The Education Cabinet shall study ways to eliminate barriers to cooperation among public schools, community colleges, and universities in the area of distance learning. The Education Cabinet shall develop a plan for sharing registration, credit hours, funding for full-time equivalent students (FTE), counseling and financial aid services, tuition receipts, and administrative responsibilities, and shall report to the General Assembly prior to January 31, 1997, on the plan it develops. The report shall include a list of any statutory or rule changes that are necessary prior to implementation of the plan and an explanation of why each change is necessary and appropriate.

(b) The State Board of Community Colleges shall examine ways to encourage pilot projects for higher education two plus two programs while continuing to recognize the community college system's statutory role as primary lead agency for providing vocational and technical job training programs.

Requested by: Representatives Grady, Preston, McMahan,
Senators Plexico, Winner

COMMUNITY COLLEGES FUNDING FORMULAS/STUDY

Sec. 17.3. The State Board of Community Colleges shall undertake a

comprehensive study of the funding formula used to distribute funds to local community colleges and shall make any recommendations for changes to the General Assembly by January 31, 1997. The study shall include, but not be limited to, the development of a plan to increase the level of funding for occupational extension courses to the funding level for curriculum courses and the cost of such a plan. In developing the plan, the State Board shall consider whether one or more colleges receive a disproportionate share of the occupational extension formula funds, the appropriateness of such a distribution, and any recommendations for changes in that distribution. The State Board of Community Colleges shall use Board Reserve funds to hire an outside, independent consultant to study the funding formula.

Requested by: Representatives Grady, Preston,
Senators Plexico, Winner

EXPENDITURE FOR NEW AND EXPANDING INDUSTRY/REPORT

Sec. 17.4. G.S. 115D–5 is amended by adding a new subsection to read:

"(i) The State Board of Community Colleges shall report to the Joint Legislative Education Oversight Committee on March 1 and September 1 of each year on expenditures for the New and Expanding Industry Program each fiscal year. The report shall include, for each company or individual that receives funds for New and Expanding Industry:

(1) The total amount of funds received by the company or individual;
(2) The amount of funds per trainee received by the company or individual;
(3) The amount of funds received per trainee by the community college training the trainee;
(4) The number of trainees trained by company and by community college; and
(5) The number of years the companies or individuals have been funded.

The September 1, 1996, report shall include this information for the prior three fiscal years."

Requested by: Representatives Grady, Preston,
Senators Winner, Plexico, Odom

UNIFORM MEDICAL HISTORY FORM/POSTSECONDARY INSTITUTIONS

Sec. 17.5. The State Board of Community Colleges and the Board of Governors of The University of North Carolina shall adopt a uniform student medical history form for use by all institutions in the North Carolina Community College System and by all of the constituent institutions of The University of North Carolina. This form shall be used for all new students enrolling after July 1, 1997, who are required to submit health forms.

The State Board of Community Colleges and the Board of Governors of The University of North Carolina shall report to the Joint Legislative Education Oversight Committee by December 15, 1996, on their progress in implementing the provisions of this section.

Requested by: Representatives Grady, Preston,
Senators Plexico, Winner

DEPARTMENT OF COMMUNITY COLLEGES/BUDGET REALIGNMENT

Sec. 17.6. (a) The Department of Community Colleges may realign its budget in accordance with the departmental reorganization plan adopted by the State Board of Community Colleges, which is in place June 1, 1996.

(b) The Department of Community Colleges shall prepare a response to the State Auditor's Performance Audit Report of April 1996, on the concern raised about the creation of the new Division of System Affairs and on what steps it has taken to address the issue raised with regard to this Division. The Department shall present its response to the Senate and House Appropriations Subcommittees on Education prior to February 15, 1997.

Requested by: Representatives Grady, Preston, Cummings, Senators Plexico, Winner, Conder, Little

CLARIFICATION OF FUND USE

Sec. 17.7. (a) G.S. 115D–5 is amended by adding a new subsection to read:

"(j) The State Board of Community Colleges shall use its Board Reserve Fund for feasibility studies, pilot projects, start–up of new programs, and innovative ideas. The State Board shall report to the Joint Legislative Education Oversight Committee on expenditures from the State Board Reserve Fund on January 15 and June 15 each year."

(b) Of the funds appropriated for the 1996–97 fiscal year to the Department of Community Colleges, two hundred thousand dollars ($200,000) shall be used for start–up costs at the newest Hosiery Technology Center program created in 1995–96 and two hundred thousand dollars ($200,000) shall be used for start–up costs for new community college programs serving the recently constructed Pasquotank Correctional Institution.

Requested by: Representatives Grady, Preston, Senators Plexico, Winner, Little

INFORMATION HIGHWAY SITES/COMMUNITY ACCESS

Sec. 17.8. It is the policy of the State to make all North Carolina Information Highway sites available to all public agencies for public use. The Education Cabinet shall adopt guidelines for ensuring public access to the university, community colleges, and public school information highway sites, and shall report these guidelines to the Joint Legislative Education Oversight Committee by January 2, 1997.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

FUNDS TO REWARD EXCELLENCE IN COMMUNITY COLLEGE TEACHING

Sec. 17.9. Effective September 1, 1996, the State Board of Community Colleges shall develop policies for the distribution of an average one–half percent (1/2%) salary increase for teaching faculty members to be given to those who have demonstrated excellence in teaching.

PART 18. PUBLIC SCHOOLS

Requested by: Senators Winner, Plexico, Little, Conder, Representatives Grady, Preston, Cummings

EXCEPTIONAL CHILDREN FUNDS

Sec. 18.1. The funds appropriated for exceptional children in this act shall be allocated as follows:

(1) Each local school administrative unit shall receive for academically gifted children the sum of $686.38 per child for four percent (4.0%) of the 1995–96 actual average daily membership in the local school

administrative unit, regardless of the number of children identified as academically gifted in the local school administrative unit. The total number of children for which funds shall be allocated pursuant to this subdivision is 47,038 for the 1996–97 school year.

(2) Each local school administrative unit shall receive for exceptional children other than academically gifted children the sum of $2,059.14 per child for the lesser of (i) all children who are identified as exceptional children other than academically gifted children or (ii) twelve and five–tenths percent (12.5%) of the 1995–96 actual average daily membership in the local school administrative unit. The maximum number of children for which funds shall be allocated pursuant to this subdivision is 137,449 for the 1996–97 school year.

The dollar amounts allocated under this subsection for exceptional children shall also increase in accordance with legislative salary increments for personnel who serve exceptional children.

Requested by: Representatives Grady, Preston, Cummings, Senators, Plexico, Winner, Little, Conder

SUPPLEMENTAL FUNDING IN LOW–WEALTH COUNTIES/ SMALL SCHOOL SYSTEM SUPPLEMENTAL FUNDING

Sec. 18.2. (a) Funds for supplemental funding. — The General Assembly finds that it is appropriate to provide supplemental funds in low–wealth counties to allow those counties to enhance the instructional program and student achievement; therefore, of the funds appropriated to Aid to Local School Administrative Units, the sum of forty–six million four hundred eighty–three thousand eight hundred nine dollars ($46,483,809) for the 1996–97 fiscal year shall be used for supplemental funds for schools. These funds shall be allocated and administered as provided in Section 17.1 of Chapter 507 of the 1995 Session Laws.

(b) Funds for small school systems. — The State Board of Education shall allocate and administer funds appropriated for small school system supplemental funding as provided in Section 17.2 of Chapter 507 of the 1995 Session Laws.

(c) Reports. — The State Board of Education shall report to the Appropriations Committees of the Senate and the House of Representatives prior to May 1, 1996, on whether counties supplanted local funds with the funds received pursuant to this section.

Requested by: Representatives Grady, Preston, Senators Winner, Plexico

FUNDS TO REDUCE CLASS SIZE IN GRADE 2

Sec. 18.3. The funds appropriated in this act to reduce class size in second grade shall be allocated by the State Board of Education to local school administrative units on the basis of one teacher for every 23 students in second grade. Local school administrative units shall use these funds (i) to reduce class size in second grade to 23 or fewer students or (ii) to hire reading teachers within kindergarten through third grade or otherwise reduce the student–teacher ratio within kindergarten through third grade.

For the purpose of calculating the maximum allowable class size for second grade, the ratio of teachers to students shall be 1 to 26.

Requested by: Representatives Grady, Preston,
Senators Perdue, Plexico, Winner

SUBSTITUTE PAY FOR TEACHER ASSISTANTS

Sec. 18.4. G.S. 115C–12(8) reads as rewritten:

"(8) Power to Make Provisions for Sick Leave and for Substitute Teachers. — The Board shall provide for sick leave with pay for all public school employees in accordance with the provisions of this Chapter and shall promulgate rules and regulations providing for necessary substitutes on account of sick leave and other teacher absences.

The pay for a substitute shall be fixed by the Board. If a teacher assistant ~~assigned to a classroom in kindergarten through third grade~~ acts as a substitute ~~teacher for that classroom,~~ teacher, the salary of the teacher assistant for the day shall be the same as the daily salary of an entry–level teacher with an "A" certificate.

The Board may provide to each local school administrative unit not exceeding one percent (1%) of the cost of instructional services for the purpose of providing substitute teachers for those on sick leave as authorized by law or by regulations of the Board, but not exceeding the provisions made for other State employees."

Requested by: Senators Winner, Plexico, Little, Conder,
Representatives Grady, Preston, Cummings

EXEMPTIONS FROM THE COMPUTER SKILLS TEST

Sec. 18.5. The State Board of Education may exempt a school from the implementation of the computer skills test if the school does not have adequate computer resources to instruct students in computer skills or to administer the test.

Requested by: Senators Winner, Plexico, Little, Conder,
Representatives Grady, Preston, Cummings

MINIMUM VACATION LEAVE FOR BUS DRIVERS

Sec. 18.6. Notwithstanding any other provision of law, all school bus drivers, who have been employed for at least one academic year and who are not entitled to more than one day of paid vacation leave, are entitled to one day of paid vacation leave in each subsequent school year.

Requested by: Senators Winner, Plexico, Little, Conder,
Representatives Grady, Preston, Cummings

SCHOOL PAY DATE FLEXIBILITY PILOT PROGRAM

Sec. 18.8. The State Board of Education may establish a pilot program to grant no more than four local boards of education additional flexibility in setting the pay dates for their 10–month employees. Notwithstanding the provisions of G.S. 115C–302(a) and G.S. 115C–316(a), local school administrative units participating in the pilot may pay 10–month employees for a full month of employment when days employed are less than a full month at the beginning or the end of the teachers' contract. No local school administrative unit shall be required to participate in the pilot. A local board participating in the pilot shall bear all of the cost of recouping funds prepaid for work never done and the cost of these funds that cannot be recouped.

The State Board of Education shall report to the Joint Legislative Education Oversight Committee on the pilot program prior to September 1, 1998.

Requested by: Senators Winner, Plexico, Little, Conder,
Representatives Grady, Preston, Cummings

FUNDS FOR NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS

Sec. 18.9. Section 17.11 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 17.11. The National Board for Professional Teaching Standards (NBPTS) was established in 1987 as an independent, nonprofit organization to establish high standards for teachers' knowledge and performance and for development and operation of a national voluntary system to assess and certify teachers who meet those standards. In order to apply for the NBPTS certification process, teachers must have three years or more of teaching experience, be currently teaching, have graduated from an accredited college or university, and hold a valid State teaching license. Upon successful completion of a year–long process of developing a portfolio of student work and videotapes of teaching/learning activities for NBPTS review and then participating in NBPTS assessment center simulation exercises, including performance–based activities and a content knowledge examination, teachers may become NBPTS–certified.

Of the funds appropriated to the Department of Public Instruction in this act, the sum of:

(1) Two hundred thirty thousand seven hundred seventy–six dollars ($230,776) for the 1995–96 fiscal year and nine hundred thirty–six thousand five hundred seven dollars ($936,507) for the 1996–97 fiscal year shall be used to pay for the National Board for Professional Teaching Standards (NBPTS) participation fee and for up to three days of approved paid leave for teachers participating in the NBPTS program during the 1995–96 school year and the 1996–97 fiscal year for State–paid teachers who (i) have completed three years of teaching in North Carolina schools operated by local boards of education, the Department of Human Resources, the Department of Correction, or The University of North Carolina, or affiliated with The University of North Carolina, prior to application for NBPTS certification, and (ii) who have not previously received State funds for participating in any certification area in the NBPTS program. Teachers participating in the program shall take paid leave only with the approval of their supervisors.

A teacher for whom the State pays the participation fee (i) who does not complete the process or (ii) who completes the process but does not teach in a North Carolina public school for at least one year after completing the process, shall repay the certification fee to the State. Repayment is not required if the process is not completed or the teacher fails to teach for one year due to the death or disability of the teacher or other extenuating circumstances as may be recognized by the State Board.

(2) Two hundred forty–five thousand five hundred eighty–two dollars ($245,582) for the 1995–96 fiscal year and two hundred forty–three thousand eighty–seven dollars ($243,087) for the 1996–97 fiscal year shall be used for an annual bonus of four percent (4%) of the teacher's State–paid salary for the 10–month school year for State–paid teachers who (i) completed three years of teaching in North Carolina schools operated by local boards of education, the

Department of Human Resources, the Department of Correction, or The University of North Carolina prior to application for NBPTS certification and (ii) received NBPTS certification. The bonus for each fiscal year shall be paid at the end of each full school year that the teacher teaches full time in a North Carolina school operated by local boards of education, the Department of Human Resources, the Department of Correction, or The University of North Carolina. Teachers shall continue this bonus only as long as they retain NBPTS certification."

Requested by: Senators Winner, Plexico, Little, Conder,
Representatives Grady, Preston, Cummings

ADDITIONAL EDUCATIONAL AND CAREER OPPORTUNITIES FOR TEACHER ASSISTANTS

Sec. 18.10. G.S. 115C–468 reads as rewritten:

"**§ 115C–468. Establishment of fund.**

(a) There is established a revolving fund known as the 'Scholarship Loan Fund for Prospective Teachers'.

(b) Criteria for awarding scholarship loans from the fund shall include measures of academic performance including grade point averages, scores on standardized tests, class rank, and recommendations of guidance counselors and principals. To the extent practical, an equal number of scholarships shall be awarded in each of the State's Congressional Districts.

(c) The Superintendent of Public Instruction may earmark up to twenty percent (20%) of the funds available for scholarship loans each year for awards to applicants who have been employed for at least one year as teacher assistants and who are currently employed as teacher assistants. Preference for these scholarship loans from funds earmarked for teacher assistants shall be given first to applicants who worked as teacher assistants for at least five years and whose positions as teacher assistants were abolished and then to applicants who already hold a baccalaureate degree or who have already been formally admitted to an approved teacher education program in North Carolina. The criteria for awarding scholarship loans to applicants who worked as teacher assistants for at least five years and whose positions as teacher assistants were abolished shall include whether the teacher assistant has been admitted to an approved teacher education program in North Carolina.

The Superintendent of Public Instruction may further earmark a portion of these funds each year for two–year awards to applicants who have been employed for at least one year as teacher assistants to attend community colleges to get other skills of use in public schools or to get an early childhood associate degree. The provisions of this Article shall apply to these scholarship loans except that a recipient of one of these scholarship loans may receive credit upon the amount due by reason of the loan as provided in G.S. 115C–471(5) or by working in a non-teaching position in the North Carolina public schools or by working in a licensed day care center in North Carolina."

Requested by: Representatives Preston, Grady,
Senators Winner, Plexico

PROFESSIONAL TEACHING STANDARDS COMMISSION

Sec. 18.12. (a) G.S. 115C–295.1 reads as rewritten:

"**§ 115C–295.1. North Carolina Professional Teaching Standards Commission.**

(a) There is created the North Carolina Professional Teaching Standards

Commission (the 'Commission'). The Commission shall be located administratively ~~within the Department of Public Instruction~~ under the State Board of Education but shall exercise its powers and duties independently of the ~~Department of Public Instruction. The Department of Public Instruction shall provide staff, offices, office equipment, and meeting space to the Commission.~~ State Board of Education.

(b) The purpose of the Commission is to establish high standards for North Carolina teachers and the teaching profession.

(c) ~~The~~ Beginning September 1, 1996, the Commission shall consist of the following ~~18 members:~~

~~(1) The State Superintendent of Public Instruction who shall serve as chair of the Commission.~~

~~(2) A representative of the North Carolina Association of Educators appointed by the Governor.~~

~~(3) A representative of the North Carolina Federation of Teachers appointed by the Governor.~~

~~(4) Three teachers, at least one of whom teaches in elementary school and one of whom teaches special education, appointed by the Governor.~~

~~(5) Two teachers, at least one of whom teaches in middle or junior high school, appointed by the President *Pro Tempore* of the Senate.~~

~~(6) Two teachers, at least one of whom teaches in high school, appointed by the Speaker of the House of Representatives.~~

~~(7) One school administrator, either a principal or a superintendent, appointed by the Governor.~~

~~(8) Two representatives of teacher education institutions, one of whom shall be a representative of a University of North Carolina institution and one of whom shall be a representative of a private teacher education institution, appointed by the Governor.~~

~~(9) One State Board member appointed by the chair of the State Board of Education.~~

~~(10) Two at-large members appointed by the Governor.~~

~~(11) Two at-large members, one of these members shall be appointed by the President *Pro Tempore* of the Senate, and one of these members shall be appointed by the Speaker of the House of Representatives.~~

16 members:

(1) The Governor shall appoint four teachers from a list of names, including the State Teacher of the Year, submitted by the State Board of Education; one principal; one superintendent; and two representatives of schools of education, one of which is in a constituent institution of The University of North Carolina and one of which is in a private college or university.

(2) The President *Pro Tempore* of the Senate shall appoint three teachers who have different areas of expertise or who teach at different grade levels; and one at-large member.

(3) The Speaker of the House of Representatives shall appoint three teachers who have different areas of expertise or who teach at different grade levels; and one at-large member.

In making appointments, the appointing authorities are encouraged to select qualified citizens who are committed to improving the teaching profession and student achievement and who represent the racial, geographic, and gender diversity of the State. Before their appointment to this Commission, with the exception of

the at-large members, the members must have been actively engaged in the profession of teaching, in the education of students in teacher education programs, or in the practice of public school administration for at least three years, at least two of which occurred in this State. The members shall serve for two-year terms. Initial terms shall begin September 1, 1994. Vacancies in the membership shall be filled by the original appointing authority using the same criteria as provided in this subsection.

(d) The Commission shall elect a ~~vice-chair~~ chair, a vice-chair, and a secretary-treasurer from among its membership. In the absence of the chair, the vice-chair shall preside over the Commission's meetings. All members are voting members, and a majority of the Commission constitutes a quorum. The Commission shall adopt rules to govern its proceedings.

(e) Meetings of the Commission shall be held upon the call of the chair or the vice-chair with the approval of the chair.

(f) Members of the Commission ~~who are State or public school employees shall receive travel expenses as set forth in G.S. 138-6. All other Commission members shall receive *per diem* and travel expenses as set forth in G.S. 138-5.~~ shall receive compensation for their services and reimbursement for expenses incurred in the performance of their duties required by this Article, at the rate prescribed in G.S. 90B-5.

(g) The Commission may employ, subject to Chapter 126 of the General Statutes, the necessary personnel for the performance of its functions, and fix compensation within the limits of funds available to the Commission."

(b) Article 20 of Chapter 115C of the General Statutes is amended by adding the following new sections to read:

"**§ 115C-295.2. Powers and duties of the Commission.**

(a) The North Carolina Teaching Standards Commission shall:

(1) Develop and recommend to the State Board of Education professional standards or revisions to professional standards for North Carolina teachers.

(2) Review the areas of teacher certification and recommend to the State Board of Education those areas that should be consolidated, redesigned, eliminated, or enhanced.

(3) Consider current methods to assess teachers and teaching candidates, including the National Teacher Exam, the assessments of the National Board for Professional Teaching Standards, and alternative methods of assessment and recommend to the State Board of Education the implementation of rigorous and appropriate assessments for initial and continuing certification that are valid and reliable measures of professional practice.

(4) Evaluate, develop, and recommend to the State Board a procedure for the assessment and recommendation of candidates for initial and continuing teacher certification.

For purposes of this subsection, the areas of teacher certification include initial certification, continuing certification, and certification renewal, and do not include teacher education programs.

(b) The Commission shall submit its recommendations under subsection (a) of this section to the State Board. The State Board shall adopt or reject the recommendations. The State Board shall not make any substantive changes to any recommendation that it adopts. If the State Board rejects the recommendation, it shall state with specificity its reasons for rejection; the Commission then may

amend that recommendation and resubmit it to the State Board. The Board shall adopt or reject the amended recommendation. If the State Board fails to adopt the Commission's original and amended recommendation concerning the implementation of assessments for certification and the procedure for the assessment and recommendation of candidates for teacher certification, the State Board may develop and adopt its own plan.

(c) The Commission shall submit an annual report by December 1 of each year to the Joint Legislative Education Oversight Committee and the State Board of Education of its activities during the preceding year, together with any recommendations and findings regarding improvement of the teaching profession. The State Board shall submit a report by April 15, 1998, to the Joint Legislative Education Oversight Committee on the current status of assessments for certification and any changes to the procedures for assessment and recommendation of candidates for teacher certification.

"§ 115C-295.3. Professional Practices Board.

The State Board of Education shall establish a Professional Practices Board composed of teachers, school administrators, and representatives of the general public. The Professional Practices Board shall:

(1) Develop a code of ethics for the teaching profession and develop procedures to investigate violations of the code.
(2) Investigate complaints concerning violations of the code of ethics.
(3) Make recommendations to the State Board of Education concerning the revocation and suspension of teacher certificates as the result of an ethics violation.

The Professional Practices Board shall recommend the code of ethics and the investigation procedures that it develops to the State Board of Education for its approval. The State Board of Education is the final authority in all decisions under this section, except as provided in the procedures concerning the due process rights of any person subject to an investigation under this section. The State Board of Education shall adopt rules necessary to implement this section."

Requested by: Representatives Holmes, Creech, Esposito, Senators Winner, Plexico

ALLOCATION OF FUNDS FOR SCHOOL TECHNOLOGY

Sec. 18.13. Funds appropriated in this act to the State School Technology Fund shall be allocated to local school administrative units on the basis of average daily membership.

Requested by: Senators Winner, Plexico, Little, Conder, Representatives Grady, Preston, Cummings

TEACHER VACATION LEAVE FOR ADOPTIVE PARENTS

Sec. 18.13A. G.S. 115C-302(f) reads as rewritten:

"(f) A teacher may use annual leave, personal leave, or leave without pay to care for a newborn child or for a child placed with the teacher for adoption or foster care. The leave may be for consecutive workdays during the first 12 months after the date of birth or placement of the child, unless the the teacher and local board of education agree otherwise.

~~The total of all such leave time shall be no more than 12 weeks.~~"

Requested by: Senators Winner, Plexico, Little, Conder,
Representatives Grady, Preston, Cummings

COMPONENTS OF THE TESTING PROGRAM

Sec. 18.14. G.S. 115C–174.11(b) reads as rewritten:

"(b) Competency Testing Program.

(1) The State Board of Education shall adopt tests or other measurement devices which may be used to assure that graduates of the public high schools and graduates of nonpublic schools supervised by the State Board of Education pursuant to the provisions of Part 1 of Article 39 of this Chapter possess the skills and knowledge necessary to function independently and successfully in assuming the responsibilities of citizenship.

(2) The tests shall be administered annually to all tenth grade students in the public schools. Students who fail to attain the required minimum standard for graduation in the tenth grade shall be given remedial instruction and additional opportunities to take the test up to and including the last month of the twelfth grade. Students who fail to pass parts of the test shall be retested on only those parts they fail. Students in the tenth grade who are enrolled in special education programs or who have been officially designated as eligible for participation in such programs may be excluded from the testing programs.

(3) The State Board of Education may develop and validate alternate means and standards for demonstrating minimum competence. These standards, which must be more difficult than the tests adopted pursuant to subdivision (1) of this subsection, may be passed by students in lieu of the testing requirement of subdivision (2) of this subsection.

~~(4) Funds appropriated for the purpose of remediation support for students who fail the high school competency test shall be distributed in accordance with rules promulgated by the State Board of Education. The State Board of Education shall allocate remediation funds to institutions administered by the Department of Human Resources on the same basis as funds allocated to other local education agencies.~~"

Requested by: Senators Plexico, Winner, Little, Conder,
Representatives Grady, Preston, Cummings

GLOBAL CURRICULUM PROGRAM

Sec. 18.15. The funds appropriated in this act for the Global Curriculum Program shall be used to improve the knowledge and understanding of middle and high school students in the areas of international and cultural studies, by identifying and training master teachers and providing orientations and materials. The State Board of Education may enter into contracts to implement the Program.

Requested by: Representatives Grady, Preston, Cummings,
Senators Winner, Plexico, Little, Conder

REWARDS FOR TEACHER EXCELLENCE

Sec. 18.16. The State Board of Education shall study ways to reward teachers and other school personnel by linking some portion of future salary increases to the performance of students and to other factors that the board

determines are important for improving North Carolina schools. These other factors shall include methods for rewarding outstanding teachers to include skills and competency based pay, responsibility pay, expansion of school–performance awards under the ABC Program. This study should examine the operation of such programs in other states and local school districts, and the impact of these programs on improving student performance.

In the course of the study, the State Board shall take into account the differences in schools, school resources, and student populations, that different teachers and other school personnel encounter. The State Board shall report on the study to the Joint Legislative Education Oversight Committee prior to January 15, 1997.

Requested by: Senators Hobbs, Winner, Plexico, Little, Conder, Representatives Grady, Preston, Cummings

SCHOOL FACILITIES GUIDELINES

Sec. 18.17. (a) G.S. 115C–81(b) reads as rewritten:

"(b) The Basic Education Program shall include course requirements and descriptions similar in format to materials previously contained in the standard course of study and it shall provide:

(1) A core curriculum for all students that takes into account the special needs of children and includes appropriate modifications for the learning disabled, the academically gifted, and the students with discipline and emotional problems;
(2) A set of competencies, by grade level, for each curriculum area;
(3) A list of textbooks for use in providing the curriculum;
(4) Standards for student performance and promotion based on the mastery of competencies, including standards for graduation, that take into account children with special needs and, in particular, include appropriate modifications;
(5) A program of remedial education;
(6) Required support programs;
(7) A definition of the instructional day;
(8) Class size recommendations and requirements;
(9) Prescribed staffing allotment ratios;
(10) Material and equipment allotment ratios;
(11) Facilities ~~standards;~~ guidelines that reflect educational program appropriateness, long–term cost efficiency, and safety considerations; and
(12) Any other information the Board considers appropriate and necessary.

The State Board shall not adopt or enforce any rule that requires Algebra I as a graduation standard or as a requirement for a high school diploma for any student whose individualized education program (i) identifies the student as learning disabled in the area of mathematics and (ii) states that this learning disability will prevent the student from mastering Algebra I."

(b) G.S. 115C–489.3(c) is repealed.

(c) G.S. 115C–521(c) reads as rewritten:

"(c) The building of all new school buildings and the repairing of all old school buildings shall be under the control and direction of, and by contract with, the board of education for which the building and repairing is done. If a board of education is considering building a new school building to replace an existing school building, the board shall not invest any construction money in the new building unless it submits to the State Superintendent and the State Superintendent

submits to the North Carolina Historical Commission an analysis that compares the costs and feasibility of building the new building and of renovating the existing building and that clearly indicates the desirability of building the new building. ~~Boards of education shall also not invest any money in any new building that is not built in accordance with plans approved by the State Superintendent to structural and functional soundness, safety and sanitation, nor~~ No board of education shall invest any money in any new building until it has (i) developed plans based upon a consideration of the State Board's facilities guidelines, (ii) submitted these plans to the State Board for its review and comments, and (iii) reviewed the plans based upon a consideration of the comments it receives from the State Board. No local board of education shall contract for more money than is made available for ~~its erection.~~ the erection of a new building. However, this subsection shall not be construed so as to prevent boards of education from investing any money in buildings that are being constructed pursuant to a continuing contract of construction as provided for in G.S. 115C–441(c1). All contracts for buildings shall be in writing and all buildings shall be inspected, received, and approved by the local superintendent and the architect before full payment is made ~~therefor: Provided, that this subsection shall not~~ therefor. Nothing in this subsection shall prohibit boards of education from repairing and altering buildings with the help of janitors and other regular employees of the board.

In the design and construction of new school buildings and in the renovation of existing school buildings that are required to be designed by an architect or engineer under G.S. 133–1.1, the local board of education shall participate in the planning and review process of the Energy Guidelines for School Design and Construction that are developed and maintained by the Department of Public Instruction and shall adopt local energy–use goals for building design and operation that take into account local conditions in an effort to reduce the impact of operation costs on local and State budgets. In the design and construction of new school facilities and in the repair and renovation of existing school facilities, the local board of education shall consider the placement and design of windows to use the climate of North Carolina for both light and ventilation in case of power shortages. A local board shall also consider the installation of solar energy systems in the school facilities whenever practicable.

In the case of any school buildings erected, repaired, or equipped with any money loaned or granted by the State to any local school administrative unit, the State Board of Education, under any rules as it may deem advisable, may retain any amount not to exceed fifteen percent (15%) of the loan or grant, until the completed buildings, erected or repaired, in whole or in part, from the loan or grant funds, shall have been approved by a designated agent of the State Board of Education. Upon approval by the State Board of Education, the State Treasurer may pay the balance of the loan or grant to the treasurer of the local school administrative unit for which the loan or grant was made."

(d) G.S. 115C–521 is amended by adding a new subsection to read:

"(e) The State Board of Education shall establish within the Department of Public Instruction a central clearinghouse for access by local boards of education that may want to use a prototype design in the construction of school facilities. The State Board shall compile necessary publications and a computer database to distribute information on prototype designs to local school administrative units. All architects and engineers registered in North Carolina may submit plans for inclusion in the computer database and these plans may be accessed by any person.

The original architect of record or engineer of record shall retain ownership and liability for a prototype design. The State Board may adopt rules it considers necessary to implement this subsection."

(e) School facilities guidelines and standards adopted by the State Board of Education before the effective date of this section shall remain in effect as guidelines only.

(f) This section is effective upon ratification.

Sec. 18.18. The School Facilities Task Force.

(a) There is created the School Facilities Task Force under the State Board of Education. The Task Force shall consist of the following members appointed by the State Board:

(1) One member of the State Board.
(2) One architect.
(3) One representative from a school of architecture within a constituent institution of The University of North Carolina.
(4) Two local school administrative unit employees with expertise in school facilities.
(5) One representative of the North Carolina Association of County Commissioners.
(6) One representative of the North Carolina School Boards Association.
(7) One engineer.
(8) Any other members the State Board considers necessary.

All members shall be voting members. The Task Force shall select a member of the Task Force to serve as its chair.

Members of the Task Force shall receive travel and subsistence expenses in accordance with G.S. 138–5 and G.S. 138–6.

The Department of Public Instruction shall, with the approval of the State Board of Education, provide staff, office equipment, supplies, and meeting space to the Task Force.

(b) The Task Force shall:

(1) Review the State Board's facilities guidelines for the construction, acquisition, renovation, and replacement of facilities, furniture, equipment, apparatus, and spaces for public schools to ensure they reflect both educational program appropriateness and long–term cost–efficiency.
(2) Make recommendations to the State Board as to (i) which guidelines should be maintained, revised, or eliminated, and (ii) any new guidelines that it considers appropriate.
(3) Develop and recommend to the State Board a procedure for the Board to follow when facilities plans are submitted by local school administrative units for the Board's review and comments.
(4) Develop and recommend to the State Board a proposal in accordance with G.S. 115C–521(e) for the establishment of a central clearinghouse for prototype designs.
(5) Submit its recommendations under this subsection to the State Board no later than December 1, 1996.

(c) Based upon a consideration of the recommendations of the Task Force, the State Board shall adopt (i) revised facilities guidelines to assist local school administrative units in the construction, acquisition, renovation, and replacement of facilities, furniture, equipment, apparatus, and spaces for public schools, (ii) the procedure for local school administrative units to follow when they submit school facilities plans for the State Board's review and comments, and (iii) a plan

to establish within the Department of Public Instruction a central clearinghouse for prototype designs. The State Board shall submit a report by April 15, 1997, to the General Assembly that includes the revised facilities guidelines, the facilities review procedure, and the plan to establish a central clearinghouse for prototype designs. Upon submission of this report to the General Assembly, the Task Force shall terminate.

Requested by: Representatives Esposito, Grady, Preston,
Senators Winner, Plexico

FUNDS TO IMPLEMENT THE ABC'S OF PUBLIC EDUCATION PROGRAM

Sec. 18.19. (a) Of the funds appropriated to State Aid to Local School Administrative Units, the State Board of Education may use up to twenty–four million five hundred thousand dollars ($24,500,000) for the 1996–97 fiscal year to provide incentive funding for schools with higher than projected levels of improvement in student performance, in accordance with the ABC's of Public Education Program. The State Board of Education may allocate up to twenty–one million dollars ($21,000,000) of these funds on a per–certified personnel basis for each eligible school and up to three million five hundred thousand dollars ($3,500,000) on a per–teacher assistant basis for each eligible school.

It is the intent of the General Assembly to fully fund this program for the 1997–98 and subsequent fiscal years.

(b) Of the funds appropriated to State Aid to Local School Administrative Units, the State Board of Education may use up to one million dollars ($1,000,000) for assistance teams to low–performing schools.

Requested by: Representatives Grady, Preston,
Senators Plyler, Perdue, Odom

CERTIFIED PUBLIC SCHOOL PERSONNEL COMPENSATION STUDY

Sec. 18.20. (a) The Joint Legislative Commission on Governmental Operations shall contract with a qualified employee benefits consulting practice or research organization to conduct a comparative analysis of certified public school personnel compensation in North Carolina school systems. As part of the analysis, teachers base pay, the statewide salary schedule, incentives (i.e., local supplements, benefits, etc., if any), and benefits packages in other states, including southeastern states in the Southern Regional Education Board region, shall be compared with North Carolina's certified public school personnel salary schedule and benefits packages.

The scope of this comparative analysis shall be to determine, in those states who are regional neighbors as defined by the Southern Legislative Conference and the Southern Regional Education Board and in other states included in the study, how North Carolina certified public school personnel salaries and benefits rank within states in the region and other states included in the study, and the recurring cost to offer and maintain them at current levels. Median as well as average salary levels shall be determined for each state.

In addition, this comparative analysis shall identify 5 to 10 other states in the country most like North Carolina in terms of public school demographics (both students and certified personnel), public school funding policy and governing structure, entry, certification, and career requirements for teaching personnel, and other factors or conditions that most affect teachers salary and benefits, and compare and rank those salaries and benefits packages of these states to North Carolina certified public school personnel compensation packages.

Applying survey research methods considered to be reliable and valid statistically, the contractor shall determine the relative "economic value" of these benefits to the employees.

Finally, the contractor shall produce a "regional compensation survey model" as a product of this study of certified public school personnel that could then be made available for other studies of State employees in the executive and judicial branches of North Carolina State government. As part of the contractors work, training in conducting these other studies would be provided to legislative staff.

(b) In order to determine which organizations may be most qualified to conduct such an analysis, the Commission may appoint a subcommittee that shall be responsible for issuing a Request for Qualifications (RFQ). All firms responding to the RFQ shall be evaluated in accordance with procedures established by the subcommittee. Up to five firms may be invited to submit separate technical and cost proposals in response to the standard Request for Proposals (RFP).

A contract shall be awarded no later than October 15, 1996. The study shall begin no later than November 1, 1996. A progress report shall be issued to the subcommittee for review and approval no later than December 31, 1996, and a final report no later than April 1, 1997.

The Legislative Services Office shall provide such coordinating staff to the Joint Legislative Commission on Governmental Operations and its subcommittee as necessary.

Requested by: Senators Dannelly, Winner, Plexico, Little, Conder
Representatives Grady, Preston, Cummings

NORTH CAROLINA STANDARDS BOARD FOR PUBLIC SCHOOL ADMINISTRATORS

Sec. 18.21. (a) G.S. 115C-290.5 reads as rewritten:

"§ 115C-290.5. Powers and duties of the Board; development of the North Carolina Public School Administrator Exam.

(a) The Standards Board shall administer this Article. In fulfilling this duty, the Standards Board shall:

(1) ~~Develop~~ In accordance with subsection (c) of this section, develop and implement a North Carolina Public School Administrator Exam, based on the professional standards established by the Standards Board.

(2) Establish and collect an application fee not to exceed fifty dollars ($50.00), and an exam fee not to exceed one hundred fifty dollars ($150.00). Fees collected under this Article shall be credited to the General Fund as nontax revenue.

(3) Review the educational achievements of an applicant to take the exam to determine whether the achievements meet the requirements set by G.S. 115C-290.7.

(4) Notify the State Board of Education of the names and addresses of the persons who passed the exam and are thereby recommended to be certified as public school administrators by the State Board of Education.

(5) Maintain accounts and records in accordance with the Executive Budget Act, Article 1 of Chapter 143 of the General Statutes.

(6) Adopt rules in accordance with Chapter 150B of the General Statutes to implement this Article.

(7) Submit an annual report by December 1 of each year to the Joint Legislative Education Oversight Committee of its activities during the preceding year, together with any recommendations and findings regarding improvement of the profession of public school administration.

(b) The Board may adopt a seal and affix it to any documents issued by the Board.

(c) The Standards Board shall submit its proposed exam to the State Board. The State Board shall adopt or reject the proposal. The State Board shall not make any substantive changes to any exam that it adopts. If the State Board rejects the proposal, it shall state with specificity its reasons for rejection; the Standards Board then may prepare another proposed exam and submit it to the State Board. If the State Board rejects the proposed exam on its second submission, the State Board may develop and adopt an exam by December 1, 1997. The General Assembly urges the State Board to utilize the Standards Board's proposed exam to the maximum extent that it is consistent with the State Board's policies if the State Board develops and adopts an exam. After an exam has been adopted, the Standards Board may submit suggested changes to the State Board for its approval."

(b) G.S. 115C-290.7(a) reads as rewritten:

"(a) The Standards Board shall recommend for certification by the State Board an individual who submits a complete application to the Standards Board and satisfies all of the following requirements:

(1) Pays the application fee established by the Standards Board.

(2) Pays the exam fee established by the Standards Board.

(3) Has a bachelors degree from an accredited college or accredited university and (i) has a graduate degree from a public school administration program that meets the public school administrator program approval standards set by the State Board of ~~Education.~~ Education, or (ii) has a masters degree from an accredited college or accredited university and has completed by December 31, 1999, a public school administration program that meets the public school administration approval standards set by the State Board of Education.

(4) Passes the exam."

(c) G.S. 115C-290.8 reads as rewritten:

"**§ 115C-290.8. Exemptions from requirements.**

The requirements of this Article do not apply to a person who, at any time during the five years preceding January 1, 1998, (i) completed an administrative internship as part of an approved graduate program in school administration and obtained an active State administrator/supervisor certificate, or (ii) was engaged in ~~public~~ school administration ~~at either a public school in North Carolina or a school in North Carolina operated by the United States government.~~ while in possession of an active State administrator/supervisor certificate. A person who is exempt from the requirements of this Article but applies to the Standards Board under this Article shall be subject to the Article."

(d) Subsections (b) and (c) of this section become effective January 1, 1998. The remainder of this section is effective upon ratification.

Requested by: Senators Winner, Plexico, Little, Conder,
Representatives Grady, Preston, Cummings

SCHOOL LAW REVISION COMMISSION

Sec. 18.23. (a) The cochairs of the Joint Legislative Education Oversight Committee shall appoint a subcommittee to revise the public school laws.

The subcommittee shall consist of equal numbers of members appointed by the Senate chair and the House chair. Either chair may appoint to the subcommittee members, including public members, who are not also members of the Committee.

Members of the subcommittee who are not members of the Committee may participate fully in all subcommittee business, including all deliberations and votes; however, these members are not members of the Committee for any other purpose.

(b) The subcommittee shall:

(1) Conduct a comprehensive review of the public school laws;

(2) Identify laws that are outdated, vague, unnecessary, or otherwise in need of revision; and

(3) Revise the public laws so they are consistent with the North Carolina Constitution and with the goals of the General Assembly and the State Board of Education in order to improve student performance, increase local flexibility and control, and promote economy and efficiency.

Requested by: Senators Winner, Plexico, Little, Conder,
Representatives Grady, Preston, Cummings

EDUCATION OF GIFTED STUDENTS

Sec. 18.24. (a) G.S. 115C-81(b)(1) reads as rewritten:

"(1) A core curriculum for all students that takes into account the special needs of children and includes appropriate modifications for the learning disabled, the academically ~~gifted,~~ or intellectually gifted students, and the students with discipline and emotional problems;".

(b) G.S. 115C-109 reads as rewritten:

"**§ 115C-109. Definition of children with special needs.**

The term 'children with special needs' includes, without limitation, all children from age five through age 20 who because of permanent or temporary mental, physical or emotional handicaps need special education, are unable to have all their needs met in a regular class without special education or related services, or are unable to be adequately educated in the public schools. It includes those who are mentally retarded, epileptic, learning disabled, cerebral palsied, seriously emotionally disturbed, orthopedically impaired, autistic, multiply handicapped, pregnant, hearing-impaired, speech-impaired, blind or visually impaired, and other health ~~impaired, and academically gifted.~~ impaired."

(c) G.S. 115C-110(d) reads as rewritten:

"(d) The Board shall adopt rules or regulations covering:

(1) The qualifications of and standards for certification of teachers, teacher assistants, speech clinicians, school psychologists, and others involved in the education and training of children with special needs;

(2) Minimum standards for the individualized educational program for all children with special needs other than for ~~the academically gifted and~~ the pregnant children, and for ~~the group educational program for the academically gifted children and~~ the educational program for

the pregnant children, who receive special education and related services; and

(3) Such other rules or regulations as may be necessary or appropriate for carrying out the purposes of this Article. Representatives from the Departments of Human Resources and Correction shall be involved in the development of the standards outlined under this subsection."

(d) G.S. 115C–110(k) reads as rewritten:

"(k) The Department shall monitor the effectiveness of individualized education programs in meeting the educational needs of all children with special needs other than ~~academically gifted and~~ pregnant children, ~~and of group educational programs in meeting the educational needs of the academically gifted children,~~ and of educational programs in meeting the educational needs of the pregnant children."

(e) G.S. 115C–113 reads as rewritten:

"**§ 115C–113. Diagnosis and evaluation; individualized education program.**

(a) Before taking any action described in subsection (b), below, each local educational agency shall cause a multi–disciplinary diagnosis and evaluation to be made of the child. The State Board of Education shall establish special, simplified procedures for the diagnosis and evaluation of the pregnant child, which procedures shall focus on the particular needs of the pregnant child and shall exclude those procedures which are not pertinent to the pregnant. The local educational agency shall use the diagnosis and evaluation to determine if the child has special needs, diagnose and evaluate those needs, propose special education programs to meet those needs, and provide or arrange to provide such programs. A multi–disciplinary diagnosis and evaluation is one which includes, without limitation, medical (if necessary), psychological (if necessary) and educational assessments and recommendations; such an evaluation may include any other assessments as the Board may, by rule or regulation, require.

All testing and evaluation materials and procedures utilized for the purposes of evaluation and placement of children with special needs will be selected and administered so as not to be racially or culturally discriminatory. Such materials or procedures shall be provided and administered in the child's native language or mode of communication, unless it clearly is not feasible to do so, and no single procedure shall be the sole criterion for determining an appropriate educational program for a child.

(b) An initial multi–disciplinary diagnosis and evaluation based on rules developed by the Board shall be made before any such child is placed in a special education program, removed from such a program and placed in a regular school program, transferred from one type of special education program to another, removed from a school program for placement in a nonschool program, or otherwise tracked, classified, or treated as a child with special needs.

(c) Referral of any child shall be in writing, signed by the person requesting diagnosis and evaluation, setting forth the reasons for the request; it shall be sent or delivered to one of the following: the child's teacher, the principal of the school to which the child is, has been or will be assigned, or the superintendent of the affected local educational agency or his designee. The local educational agency shall send a written notice to the parent or guardian describing the evaluation procedure to be followed and requesting consent for the evaluation. If the parents or guardian consent, the diagnosis and evaluation may be undertaken; if they do not, the local educational agency may obtain a due process hearing pursuant to G.S. 115C–116 on the failure of the parent or guardian to consent.

The local educational agency shall provide or cause to be provided, as soon as possible after receiving consent for evaluation, a diagnosis and evaluation appropriate to the needs of the child unless the parents or guardian have objected to such evaluation. If at the conclusion of the evaluation, the child is determined to be a child with special needs, the local educational agency shall within 30 calendar days convene an individualized education program committee. The purpose of the meeting shall be to propose the special education and related services for the child. An interpretation of the multi-disciplinary diagnosis and evaluation will be made to the parent or guardian during the meeting. The proposal shall set forth the specific benefits expected from such a program, a method for monitoring the benefits, and a statement regarding conditions which will be considered indicative of the child's readiness for participation in regular classes.

After an initial referral is made, the provision of special education and related services shall be implemented within 90 calendar days to eligible students, unless the parents or guardian refuse to consent to evaluation or placement or the parent or local educational agency requests a due process hearing.

Within 12 months after placement in a special education program, and at least annually thereafter, those people responsible for developing the child's individualized education program, ~~group educational program for the academically gifted,~~ or educational program for the pregnant, shall review the child's progress and, on the basis of previously stated expected benefits, decide whether to continue or discontinue the placement or program. If the review indicates that the placement or program does not benefit the child, the appropriate reassignment or change in the prescribed program shall be recommended to the parents or guardian.

The local educational agency shall keep a complete written record of all diagnostic and evaluation procedures attempted, their results, the conclusions reached, and the proposals made.

(d) The local educational agency shall furnish the results, findings, and proposals, as described in the individualized education program ~~or group educational program~~ based on the diagnosis and evaluation to the parents or guardian in writing in the parents' or guardian's native language or by their dominant mode of communication, prior to the parent or guardian giving consent for initial placement in special education and related services. Prior notice will be given to the parents or guardian by the local educational agency before any change in placement.

A reevaluation must be completed at least every three years to determine the appropriateness of the child's continuing to receive special education and related ~~services: Provided, that a reevaluation for an academically gifted child shall be completed within three years of initial evaluation for a child who has been identified as academically gifted prior to the second semester of the third grade. For a child who is identified as academically gifted during the second semester of the third grade or thereafter, no reevaluation is required.~~ services.

(e) Each local educational agency shall make and keep current a list of all children evaluated and diagnosed pursuant to this section who are found to have special needs and of all children who are receiving home, hospital, institutional or other special education services, including those being educated within the regular classroom setting or in other special education programs.

(f) Each local educational agency shall prepare individualized educational programs for all children found to be children with special needs other than the ~~academically gifted and~~ pregnant children, ~~and group educational programs prescribed in subsection (g) of this section for the academically gifted children,~~ and

educational programs prescribed in subsection (h) of this section for the pregnant children. The individualized educational program shall be developed in conformity with Public Law 94–142 and the implementing regulations issued by the United States Department of Education and shall be implemented in conformity with timeliness set by that Department. The term 'individualized educational program' means a written statement for each such child developed in any meeting by a representative of the local educational agency who shall be qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of such children, the teacher, the parents or guardian of such child, and, whenever appropriate, such child, which statement shall be based on rules developed by the Board. Each local educational agency shall establish, or revise, whichever is appropriate, the individualized educational program of each child with special needs each school year and will then review and, if appropriate revise, its provisions periodically, but not less than annually. In the facilities and programs of the Department of Human Resources, the individualized educational program shall be planned in collaboration with those other individuals responsible for the design of the total treatment or habilitation plan or both; the resulting educational, treatment, and habilitation plans shall be coordinated, integrated, and internally consistent.

~~(g) Each local educational agency shall prepare group educational programs for the academically gifted children. The State Board of Education shall promulgate rules and regulations specifically to address the preparation of these group educational programs, which rules and regulations shall include specific grouping standards and specific program standards, and shall also include standards for ensuring that the individual educational needs of each child within the group are addressed.~~

(h) Each local educational agency shall prepare educational programs for the pregnant children. The State Board of Education shall promulgate rules and regulations specifically to address the preparation of these educational programs, which rules and regulations shall include specific standards for ensuring that the individual educational needs of each child are addressed."

(f) Chapter 115C of the General Statutes is amended by adding a new Article 9B to read:

"ARTICLE 9B.

"Academically or Intellectually Gifted Students.

"**§ 115C–150.5. Academically or intellectually gifted students.**

The General Assembly believes the public schools should challenge all students to aim for academic excellence and that academically or intellectually gifted students perform or show the potential to perform at substantially high levels of accomplishment when compared with others of their age, experience, or environment. Academically or intellectually gifted students exhibit high performance capability in intellectual areas, specific academic fields, or in both intellectual areas and specific academic fields. Academically or intellectually gifted students require differentiated educational services beyond those ordinarily provided by the regular educational program. Outstanding abilities are present in students from all cultural groups, across all economic strata, and in all areas of human endeavor.

"**§ 115C–150.6. State Board of Education responsibilities.**

In order to implement this Article, the State Board of Education shall:

(1) Develop and disseminate guidelines for developing local plans under G.S. 115C–150.7(a). These guidelines should address identification

procedures, differentiated curriculum, integrated services, staff development, program evaluation methods, and any other information the State Board considers necessary or appropriate.

(2) Provide ongoing technical assistance to the local school administrative units in the development, implementation, and evaluation of their local plans under G.S. 115C-150.7.

"**§ 115C-150.7. Local plans.**

(a) Each local board of education shall develop a local plan designed to identify and establish a procedure for providing appropriate educational services to each academically or intellectually gifted student. The board shall include parents, the school community, representatives of the community, and others in the development of this plan. The plan may be developed by or in conjunction with other committees.

(b) Each plan shall include the following components:

(1) Screening, identification, and placement procedures that allow for the identification of specific educational needs and for the assignment of academically or intellectually gifted students to appropriate services.

(2) A clear statement of the program to be offered that includes different types of services provided in a variety of settings to meet the diversity of identified academically or intellectually gifted students.

(3) Measurable objectives for the various services that align with core curriculum and a method to evaluate the plan and the services offered. The evaluation shall focus on improved student performance.

(4) Professional development clearly matched to the goals and objectives of the plan, the needs of the staff providing services to academically or intellectually gifted students, the services offered, and the curricular modifications.

(5) A plan to involve the school community, parents, and representatives of the local community in the ongoing implementation of the local plan, monitoring of the local plan, and integration of educational services for academically or intellectually gifted students into the total school program. This should include a public information component.

(6) The name and role description of the person responsible for implementation of the plan.

(7) A procedure to resolve disagreements between parents or guardians and the local school administrative unit when a child is not identified as an academically or intellectually gifted student or concerning the appropriateness of services offered to the academically or intellectually gifted student.

(8) Any other information the local board considers necessary or appropriate to implement this Article or to improve the educational performance of academically or intellectually gifted students.

(c) Upon its approval of the plan developed under this section, the local board shall submit the plan to the State Board of Education for its review and comments. The local board shall consider the comments it receives from the State Board before it implements the plan.

(d) A plan shall remain in effect for no more than three years; however, the local board may amend the plan as often as it considers necessary or appropriate. Any changes to a plan shall be submitted to the State Board of Education for its

review and comments. The local board shall consider the State Board's comments before it implements the changes.

"**§ 115C-150.8. Review of Disagreements.**

In the event that the procedure developed under G.S. 115C-150.7(b)(7) fails to resolve a disagreement, the parent or guardian may file a petition for a contested case hearing under Article 3 of Chapter 150B of the General Statutes. The scope of review shall be limited to (i) whether the local school administrative unit improperly failed to identify the child as an academically or intellectually gifted student, or (ii) whether the local plan developed under G.S. 115C-150.7 has been implemented appropriately with regard to the child. Following the hearing, the administrative law judge shall make a decision that contains findings of fact and conclusions of law. Notwithstanding the provisions of Chapter 150B of the General Statutes, the decision of the administrative law judge becomes final, is binding on the parties, and is not subject to further review under Article 4 of Chapter 150B of the General Statutes."

(g) Funding allotments in the Public School Fund shall be allocated as follows:

Existing Funding Allotment	**New Funding Allotments**
Exceptional Children.	(1) Children With Special Needs.
	(2) Academically or Intellectually Gifted Students.

(h) G.S. 115C-105.21A(b) is amended by adding a new subdivision to read:

"(8) Funds allocated for academically or intellectually gifted students may be used only (i) for academically or intellectually gifted students; (ii) to implement the plan developed under G.S. 115C-150.7; (iii) for children with special needs; or (iv) in accordance with an accepted school improvement plan, for any purpose so long as that school demonstrates it is providing appropriate services to academically or intellectually gifted students assigned to that school in accordance with the local plan developed under G.S. 115C-150.7."

(i) Effective July 1, 1997, G.S. 115C-105.21A(b)(8) reads as rewritten:

"(8) Funds allocated for academically or intellectually gifted students may be used only (i) for academically or intellectually gifted students; (ii) to implement the plan developed under G.S. 115C-150.7; ~~(iii) for children with special needs; or (iv)~~ or (iii) in accordance with an accepted school improvement plan, for any purpose so long as that school demonstrates it is providing appropriate services to academically or intellectually gifted students assigned to that school in accordance with the local plan developed under G.S. 115C-150.7."

(j) G.S. 115C-105.21A(b)(4) reads as rewritten:

"(4) Funds allocated for ~~exceptional children and funds~~ children with special needs may be transferred only for academically or intellectually gifted students. Funds allocated for driver's education shall not be transferred."

(k) Effective July 1, 1997, G.S. 115C-105.21A(b)(4) reads as rewritten:

"(4) Funds allocated for children with special needs ~~may be transferred only for academically or intellectually gifted students. Funds~~ and funds allocated for driver's education shall not be transferred."

(l) The State Board of Education shall establish deadlines for local school administrative units to implement the local plans developed under

G.S. 115C-150.7. All local school administrative units shall begin implementation of their local plans by the beginning of the 1998-99 school year.

(m) The State Board of Education shall report to the Joint Legislative Education Oversight Committee by December 15, 1996, and by December 15, 1998, on the implementation of this section.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Winner, Plexico, Little, Conder

SCHOOL BOND ACT TECHNICAL CORRECTIONS

Sec. 18.25. (a) Section 4 of Chapter 631 of the 1995 Session Laws reads as rewritten:

"Sec. 4. Authorization of Bonds and Notes. — Subject to a favorable vote of a majority of the qualified voters of the State who vote on the question of issuing Public School Building Bonds in the election held as provided in this act, the State Treasurer is authorized, by and with the consent of the Council of State, to issue and sell, at one time or from time to time, general obligation bonds of the State to be designated 'State of North Carolina Public School Building Bonds', with any additional designations as may be determined to indicate the issuance of bonds from time to time, or notes of the State as provided in this act, in the aggregate principal amount not exceeding one billion eight hundred million dollars ($1,800,000,000) for the purposes authorized in this act. The principal amounts of bonds or notes issued in any 12-month period shall not exceed four hundred fifty million dollars ($450,000,000). In determining whether this limit has been reached, the issuance of a note or bond to pay an outstanding note or bond is not considered an issuance."

(b) Section 6(d) of Chapter 631 of the 1995 Session Laws reads as rewritten:

"(d) Match. — A county is not required to match bond proceeds allocated under subsection (b) of this section. A county is not required to match the Low-Wealth Allocation of bond proceeds under subsection (c) of this section. A county must match both the ADM Allocation and the Growth Allocation of bond proceeds under subsection (c) of this section. These two allocations must be matched at the rate of matching funds equal to three cents (3¢) times the county's ability to pay rank for every one dollar ($1.00) of allocated bond proceeds. A county's ability to pay rank is its rank in the ranking of counties from lowest to highest county wealth as a percentage of State average wealth made by the State Board of Education for the 1995-96 fiscal year pursuant to Section 17.1 of Chapter 507 of the 1995 Session Laws. The match requirement may be satisfied by non-State expenditures for public school facilities made on or after January 1, 1992. ~~A non-State expenditure has been made for the purpose of the match if funds, including funds expended for debt service, have been budgeted, earmarked, or committed for the general purpose of public school facilities. If a debt has been authorized or incurred since January 1, 1992, for the general purpose of public school facilities, then the face amount of the debt shall be considered as a non-State expenditure for public school facilities for the purpose of the match.~~ Non-state expenditures are defined as follows:

(1) With respect to debt incurred for public school facilities before January 1, 1992, non-State expenditures include amounts expended on or after January 1, 1992, for debt service for the debt.

(2) With respect to debt authorized or incurred for public school facilities on or after January 1, 1992, non-State expenditures include only the face amount of the debt.

(3) With respect to expenditures other than for debt service, non–State expenditures include funds budgeted, earmarked, or committed on or after January 1, 1992, for the purpose of public school facilities.

As counties satisfy the match requirements of this section, they shall document the extent to which they have done so in periodic reports to the State Board of Education. These reports shall include any information and documentation required by the State Board of Education. The State Board of Education shall certify to the State Treasurer from time to time the extent to which the match requirements of this section have been met with respect to each county; this certification shall be binding and conclusive. Bond proceeds shall be distributed for expenditure only as, and to the extent, the matching requirements of this section are satisfied, as certified by the State Board of Education. The State Board of Education shall also require counties to report annually on the impact of funds provided under this act on the property tax rate for that year. These reports shall be public documents and shall be furnished to any citizen upon request."

(c) This section is effective upon ratification.

Requested by: Senators Winner, Plexico, Davis, Little, Conder, Representatives Grady, Preston, Cummings

REPEAL LOCAL SCHOOL PAY DATES

Sec. 18.26. (a) Section 2 of Chapter 106 of the 1991 Session Laws is repealed.

(b) Chapter 90 of the 1995 Session Laws is repealed.

(c) Section 144 of Chapter 321 of the 1993 Session Laws is repealed.

(d) Chapter 120 of the 1995 Session Laws is repealed.

(e) Chapter 770 of the 1991 Session Laws is repealed.

(f) Section 19.22 of Chapter 769 of the 1993 Session Laws, as amended by Chapter 12 of the 1995 Session Laws, is repealed.

(g) Sections 19.18 and 19.21 of Chapter 769 of the 1993 Session Laws are repealed.

(h) Chapter 399 of the 1989 Session Laws, as amended by Chapter 820 of the 1989 Session Laws, is repealed.

(i) Chapter 995 of the 1991 Session Laws is repealed.

(j) Section 53 of Chapter 561 of the 1993 Session Laws is repealed.

(k) Section 8 of Chapter 246 of the 1991 Session Laws is repealed.

(l) Chapter 835 of the 1991 Session Laws is repealed.

(m) Section 143.1 of Chapter 321 of the 1993 Session Laws, as amended by Section 19.19 of Chapter 769 of the 1993 Session Laws is repealed.

(n) The pay dates for all employees of the Kings Mountain Local School Administrative Unit and the pay date for all employees of the local boards of education of Alleghany County, Brunswick County, Caldwell County, Charlotte–Mecklenburg County, Cherokee County, Dare County, Haywood County, Henderson County, New Hanover County, Pitt County, Scotland County, and Watauga County shall be established in accordance with the provisions of Chapter 115C of the General Statutes.

Requested by: Representatives Eddins, Grady, Preston, Cummings, Senators Winner, Plexico, Little, Conder,

SCHOOL BUDGETS AND SCHOOL IMPROVEMENT PLANS MADE AVAILABLE

Sec. 18.27. G.S. 115C–288 is amended by adding the following new subsection to read:

"(h) To Make Available School Budgets and School Improvement Plans. — The principal shall maintain a copy of the school's current budget and school improvement plan, including any amendments to the plan, and shall allow parents of children in the school and other interested persons to review and obtain such documents in accordance with Chapter 132 of the General Statutes."

Requested by: Representatives Preston, Grady, Cummings.
Senators Winner, Plexico, Little, Conder

ALTERNATIVE LEARNING PROGRAM/GUIDELINES, TECHNICAL ASSISTANCE, EVALUATION

Sec. 18.28. (a) G.S. 115C–12 is amended by adding a new subdivision to read:

"(24) Duty to Develop Guidelines for Alternative Learning Programs, Provide Technical Assistance on Implementation of Programs, and Evaluate Programs. — The State Board of Education shall adopt guidelines for assigning students to alternative learning programs. These guidelines shall include (i) a description of the programs and services that are recommended to be provided in alternative learning programs and (ii) a process for ensuring that an assignment is appropriate for the student and that the student's parents are involved in the decision.

The State Board of Education shall provide technical support to local school administrative units to assist them in developing and implementing plans for alternative learning programs.

The State Board shall evaluate the effectiveness of alternative learning programs and, in its discretion, of any other programs funded from the Alternative Schools/At–Risk Student allotment. Local school administrative units shall report to the State Board of Education on how funds in the Alternative Schools/At–Risk Student allotment are spent and shall otherwise cooperate with the State Board of Education in evaluating the alternative learning programs. The State Board of Education shall report annually to the Joint Legislative Education Oversight Committee, beginning in December 1996, on the results of this evaluation.

(b) The first priority for the use of the expansion budget funds appropriated in this act to the Alternative Schools/At–Risk Student allotment shall be to enable every high school in North Carolina to have a uniformed school resource officer. If a local board of education determines after conferring with parents, teachers, and students at a high school that the school does not need a uniformed school resource officer, the local board may use these funds for other purposes. Local boards of education may use any remaining funds for other programs to ensure school safety, prevent violence, and provide alternative learning programs.

Local boards of education may use funds from the Alternative Schools/At–Risk Student allotment to form partnerships with the Cities In Schools Program or to contract with the Cities In Schools Program for services.

(c) The State Board of Education shall modify the accounting system for State Aid to Local School Administrative Units so that it can account for State funds expended for school resource officers in each local school administrative unit.

(d) Local boards of education are encouraged not to use these State funds in the Alternative Schools/At–Risk Student allotment to supplant local funds.

(e) The State Board of Education may use up to two hundred thousand dollars ($200,000) of the funds in the Alternative Schools/At-Risk Student allotment to implement G.S. 115C-12(24), as enacted by subsection (a) of this section.

Requested by: Representatives Grady, Preston, Cummings,
Senators Winner, Plexico, Little, Conder,

PUBLIC SCHOOL TEACHERS/LIABILITY PROTECTION

Sec. 18.29. Of the funds appropriated to the Department of Public Education for the 1996-97 fiscal year, an amount equal to ten dollars ($10.00) for each teacher paid from the General Fund shall be allocated by the State Board of Education to each local school administrative unit to provide comprehensive general liability protection, including coverage for errors and omissions, for teachers employed by the local school administrative unit for the 1996-97 school year.

Requested by: Representatives Crawford, Creech, Holmes, Esposito,
Senators Plyler, Odom, Perdue

MODEL TEACHER EDUCATION CONSORTIUM

Sec. 18.30. Of the funds appropriated to the State Board of Education for the 1996-979 fiscal year for State Aid to Local School Administrative Units, the Board may use up to one hundred thousand dollars ($100,000) for the operation of a Model Teacher Education Consortium.

PART 19. DEPARTMENT OF TRANSPORTATION

Requested by: Representatives Barbee, Bowie,
Senator Hoyle

USE OF FUNDS RESULTING FROM THE ELIMINATION OF POSITIONS IN DIVISION OF MOTOR VEHICLES

Sec. 19. Funds in the amount of one hundred thirty-five thousand three hundred eighty-nine dollars ($135,389) realized from the elimination of 11 positions in the Division of Motor Vehicles during the 1996-97 fiscal year shall be placed in a reserve and shall be used only to support the implementation of the State Titling and Registration System. Funds remaining in the reserve at the end of the 1996-97 fiscal year shall revert to the Highway Fund.

Requested by: Representatives Barbee, Bowie,
Senator Hoyle

DEPARTMENT OF TRANSPORTATION REPORT ON REORGANIZATION OF DIVISION OF MOTOR VEHICLES

Sec. 19.1. The Department of Transportation shall report to the Joint Legislative Transportation Oversight Committee by December 15, 1996, concerning how it will implement the recommendations for the restructuring of the Division of Motor Vehicles through the elimination of positions, consolidation of offices and functions, and the transfer of functions within and from the Division, which were contained in the performance audit of the Division of Motor Vehicles presented to the Joint Legislative Commission on Governmental Operations in May 1996. This report shall discuss both short-term and long-term managerial actions necessary to implement the recommendations and contain detailed budgetary analyses of the short-term and long-term effects of these actions. This report shall also describe how the various proposals fit in a long-range plan for the modernization of the Division of Motor Vehicles and the functions it performs.

Requested by: Representatives Barbee, Bowie,
Senator Hoyle

DEPARTMENT OF TRANSPORTATION REPORTS TO THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE

Sec. 19.2. The Department of Transportation shall make the following reports to the Joint Legislative Transportation Oversight Committee by the dates specified:

(1) By November 1, 1996, the Department shall report on any changes needed to be made to the vehicle salvage laws to minimize the number of salvage inspections without compromising the integrity of the salvage process. This report shall address how reductions in dedicated salvage inspection positions shall be made under the proposed system.

(2) By October 1, 1996, the Department shall provide plans for the study of the following issues, including a schedule for completion of the studies:

a. How the process by which licenses are modified, revoked, and suspended can be simplified.

b. How touch–tone technology and credit cards can be used in the motor vehicle registration process.

c. How credit cards can be used to increase customer payment options.

d. How collision reports can be entered directly into an automated system database by law enforcement officers.

(3) By December 1, 1996, the Department shall report how computer software used to register motor carriers under the International Registration Plan can be reconfigured so that it can be used more efficiently by staff and customers.

(4) By November 1, 1996, the Department shall:

a. Develop a formula to determine the number, location, and staffing of drivers license field offices within the State.

b. Use this formula to develop a five–year plan for changes in the number and sizes of drivers license field offices that recognizes the need for the development of larger, multi–functional drivers license offices that provide a wider range of services at centralized locations and to provide a plan for the renovation of existing drivers license field offices that will be retained.

(5) By December 1, 1996, the Department shall report on how it will maintain technical support for the vehicle registration and drivers license data systems for the 1997–99 biennium. This report shall estimate staffing needs for technical support in each year, address whether and how contract personnel will be used, and determine the feasibility of using more permanent personnel instead of contractors.

Requested by: Representatives Barbee, Bowie,
Senator Hoyle

DIVISION OF MOTOR VEHICLES ENFORCEMENT DUTIES

Sec. 19.3. G.S. 20–4 reads as rewritten:

"**§ 20–4. ~~Clarification of conflicts as to transfer of functions.~~ Enforcement duties of the Division.**

~~In the event that there shall arise any conflict as to the transfer of any functions from the Department of Revenue to the Division of Motor Vehicles, the Governor~~

~~of the State is hereby authorized to issue an executive order clarifying and making certain the issue thus arising.~~

(a) Primary Duty. — The primary enforcement duty of the Division is the enforcement of the vehicle weight restrictions set forth in G.S. 20–118. In performing this duty, the Division shall make maximum effective use of permanent weigh stations and portable scales.

(b) Secondary Duties. — The secondary enforcement duties of the Division are as follows and are listed in the order of importance:

(1) Enforcement of the motor carrier safety regulations.
(2) Enforcement of the emissions inspection program.
(3) Inspection of salvage vehicles.
(4) Providing security at rest areas.
(5) Other duties set out in this Chapter.

(c) Restriction. — The Division shall not undertake an enforcement duty that is not listed in this section unless a law specifically authorizes the Division to do so or the duty is undertaken as a condition of receiving federal funds."

Requested by: Representatives Barbee, Bowie,
Senator Hoyle

DEPARTMENT OF TRANSPORTATION—CASH FLOW CONTRACT FUNDING

Sec. 19.4. (a) G.S. 136–176(d) reads as rewritten:

"(d) A contract may be let for projects funded from the Trust Fund in anticipation of revenues pursuant to the cash–flow provisions of G.S. 143–28.1 only for the ~~biennium~~ two bienniums following the year in which the contract is let."

(b) G.S. 143–28.1 reads as rewritten:

"**§ 143–28.1. Highway Fund appropriation.**

Notwithstanding any other provisions of this Article, the appropriations made from the Highway Fund for highway construction and maintenance are subject to the following provisions.

(1) Cash Flow Funding for Highway Construction and Maintenance. — Highway maintenance and construction funds shall be budgeted, expended and accounted for on a 'cash flow' basis. Pursuant to this end, highway maintenance and construction contracts shall be planned and limited so payments due at any time will not exceed the cash available to pay them.

(2) Appropriations are for Payments and Contract Commitments to be Made in the Appropriation Fiscal Year. — The appropriations provided for by the Appropriations Act for highway maintenance and construction are for maximum payments estimated to be made during the appropriation fiscal year and for maximum contracting authority for future years. Highway maintenance and construction contracts shall be scheduled so that the total contract payments and other expenditures charged to projects in the fiscal year for each highway maintenance and construction appropriation item will not exceed the current appropriations provided by the General Assembly and unspent prior appropriations made by the General Assembly for the particular appropriation item.

(3) Payments Subject to Availability of Funds — Retainage Fully Funded — 5% Cash Balance Required. — The annual appropriations for highway maintenance and construction provided for by the Appropriations Act shall be expended only to the extent that sufficient funds are available in the Highway Fund. The Department of Transportation shall fully fund

retainage from maintenance and construction contracts in the year in which the work is performed, and in addition shall maintain an available cash balance at the end of each month equal to at least five percent (5%) of the unpaid balance of the total maintenance and construction contract obligations. In the event this cash position is not maintained, no further construction and maintenance contract commitments shall be entered into until the cash balance has been regained. For the purposes of awarding contracts involving federal-aid, any amount due from the federal government and the Highway Bond Fund as a result of unreimbursed expenditures may be considered as cash for the purposes of this provision.

(4) Anticipation of Revenues. — In awarding State highway construction and maintenance contracts requiring payments beyond a biennium, the Director of the Budget may anticipate revenues as authorized and certified by the General Assembly, to continue contract payments for up to seventy-five percent (75%) of the revenues which are estimated for the first fiscal year of the succeeding biennium and which are not required for other budget items. Up to fifty percent (50%) of the revenues not required for other budget items may be anticipated for the second ~~and subsequent~~ fiscal ~~years'~~ year of the succeeding biennium's contract payments. Up to forty percent (40%) of the revenues not required for other budget items may be anticipated for the first year of the second succeeding biennium and up to twenty percent (20%) of the revenues not required for other budget items may be anticipated for the second year of the second succeeding biennium.

(5) Amounts Obligated — Payments Subject to the Availability of Funds — Termination of Contracts. — Highway maintenance and construction appropriations may be obligated in the amount of allotments made to the Department of Transportation by the Office of State Budget and Management for the estimated payments for maintenance and construction contract work to be performed in the appropriation fiscal year. The allotments shall be multi-year allotments and shall be based on estimated revenues and shall be subject to the maximum contract authority contained in subdivision (2) above. Payment for highway maintenance and construction work performed pursuant to contract in any fiscal year other than the current fiscal year will be subject to appropriations by the General Assembly. Highway maintenance and construction contracts shall contain a schedule of estimated completion progress and any acceleration of this progress shall be subject to the approval of the Department of Transportation provided funds are available. The State reserves the right to terminate or suspend any highway maintenance or construction contract and any highway maintenance or construction contract shall be so terminated or suspended if funds will not be available for payment of the work to be performed during that fiscal year pursuant to the contract. In the event of termination of any contract, the contractor shall be given a written notice of termination at least 60 days before completion of scheduled work for which funds are available. In the event of termination, the contractor

shall be paid for the work already performed in accordance with the contract specifications.

(6) Provision Incorporated in Contracts. — The provisions of subdivision (5) of this section shall be incorporated verbatim in all highway construction and maintenance contracts.

(7) Existing Contracts Are Not Affected. — The provisions of this section shall not apply to highway construction and maintenance contracts awarded by the Department of Transportation prior to July 15, 1980."

(c) The Department of Transportation shall report quarterly beginning on October 15, 1996, and then on the fifteenth of the month following the end of the fiscal quarter, to the Joint Legislative Transportation Oversight Committee on all projects to be built with funds obligated using the cash flow provisions of G.S. 143–28.1. The report shall contain a list of the projects and the amount obligated in anticipation of revenues for each year of the project.

Requested by: Representatives Barbee, Bowie,
Senator Hoyle

CASH FLOW HIGHWAY FUND AND HIGHWAY TRUST FUND APPROPRIATIONS

Sec. 19.5. Section 18.9 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 18.9. (a) The General Assembly authorizes and certifies anticipated revenues of the Highway Fund as follows:

For Fiscal Year 1997–98	~~$1,075.6 Million~~	$1,089.4 Million
For Fiscal Year 1998–99	~~$1,093.1 Million~~	$1,110.7 Million
For Fiscal Year 1999–00		$1,146.7 Million
For Fiscal Year 2000–01		$1,174.3 Million

(b) The General Assembly authorizes and certifies anticipated revenues of the Highway Trust Fund as follows:

For Fiscal Year 1997–98	~~$ 775.8 Million~~	$ 788.2 Million
For Fiscal Year 1998–99	~~$ 799.8 Million~~	$ 812.7 Million
For Fiscal Year 1999–00		$839.3 Million
For Fiscal Year 2000–01		$867.2 Million".

Requested by: Representatives Barbee, Bowie,
Senator Hoyle

RADIO ISLAND RAILROAD TRESTLE

Sec. 19.6. (a) Subsection (b) of Section 18.28 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"(b) The Department of Transportation shall proceed with the planning and construction of the trestle, Project P–3100 in the 1996–2002 Transportation Improvement Program, and shall commence construction of the trestle during calendar year 1996. The Beaufort and Morehead Railroad Company, owner of the trestle, shall be conveyed to the Department of Transportation by the North Carolina Ports Railway Commission for construction of the replacement trestle and related purposes authorized by G.S. 136–44.36. The completed bridge shall be owned by the Department of Transportation and shall be added to the State System for maintenance purposes."

(b) Notwithstanding any other provision of law, the Department of Transportation may award a contract for Project 3100 in the 1996–2002 Transportation Improvement Program on a design–build basis, using any procurement

process that the Department of Transportation determines will result in maximum efficiency in constructing this project.

(c) The Department of Transportation shall file a progress report every six months beginning on December 1, 1996, with the Joint Legislative Transportation Oversight Committee on the construction of this project.

Requested by: Senators Hoyle, Little, Gulley,
Representatives Bowie, Crawford

UNPAVED SECONDARY ROADS ON STATE LANDS

Sec. 19.7. Chapter 136 of the General Statutes is amended by adding a new section to read:

"**§ 136-44.7A. Submission of secondary roads construction programs to State agencies.**

When the Department of Transportation proposes to pave an unpaved secondary road that crosses land controlled by a State agency, the Department of Transportation shall obtain the approval of that State agency before paving that secondary road."

Requested by: Representatives Barbee, Bowie,
Senator Hoyle

GREEN ROADS INITIATIVE

Sec. 19.8. From funds available to the Department of Transportation, the Department of Correction, and the Division of Forest Resources, Department of Environment, Health, and Natural Resources, approximately 700 acres of land shall be planted with trees during the 1996-97 fiscal year as the start of a "Green Roads Initiative" of reforestation along highways across the State.

The Department of Transportation, in conjunction with the Department of Environment, Health, and Natural Resources, shall identify the locations where the reforestation can be accomplished through the use of seedlings provided by the Division of Forest Resources and prisoners allocated to the Department of Transportation by the Department of Correction.

To the extent possible, the acreage identified for reforestation shall be equally distributed in the 14 transportation engineering divisions.

The goals of the initiative are to plant trees that will provide additional natural habitat for birds and other wildlife, to reduce expensive roadside maintenance by reducing the acreage requiring frequent mowing of grasses, to beautify the State's highways, and to maintain safety for the motoring public.

The Department of Transportation, the Department of Environment, Health, and Natural Resources, and the Department of Correction shall jointly report to the Joint Legislative Transportation Oversight Committee by December 31, 1996, on progress in implementing the Green Roads Initiative.

Requested by: Senators Hoyle, Gulley,
Representatives Bowie, Crawford

DEPARTMENT OF TRANSPORTATION LAND SALES PROCEEDS USED FOR CAPITAL IMPROVEMENTS

Sec. 19.9. (a) Funds received by the Department of Transportation from the sale of Department-owned land (not right-of-way property) during the 1995-96 fiscal year in the amount of twenty-four thousand three hundred ninety-three dollars ($24,393) shall be used to supplement appropriations for Department of

Transportation capital outlays funded in this act, in the priority order established by this act.

(b) This section is effective June 30, 1996.

Requested by: Senators Hoyle, Gulley,
Representatives Bowie, Crawford

CLARIFICATION OF POLICY RELATED TO MATERIALS THAT MAY BE DISPLAYED AT WELCOME CENTERS

Sec. 19.10. (a) G.S. 136–18(9) reads as rewritten:

"(9) To employ appropriate means for properly selecting, planting and protecting trees, shrubs, vines, grasses or legumes in the highway right–of–way in the promotion of erosion control, landscaping and general protection of said highways; to acquire by gift or otherwise land for and to construct, operate and maintain roadside parks, picnic areas, picnic tables, scenic overlooks and other appropriate turnouts for the safety and convenience of highway users; and to cooperate with municipal or county authorities, federal agencies, civic bodies and individuals in the furtherance of those objectives. None of the roadside parks, picnic areas, picnic tables, scenic overlooks or other turnouts, or any part of the highway right–of–way shall be used for commercial purposes except (i) for materials displayed in welcome centers in accordance with G.S. 136–89.56, and (ii) for vending machines permitted by the Department of Transportation and placed by the Division of Services for the Blind, Department of Human Resources, as the State licensing agency designated pursuant to Section 2(a)(5) of the Randolph–Sheppard Act (20 USC 107a(a)(5)). The Department of Transportation shall regulate the placing of the vending machines in highway rest areas and shall regulate the articles to be dispensed. Every other use or attempted use of any of these areas for commercial purposes shall constitute a Class 1 misdemeanor and each day's use shall constitute a separate offense."

(b) G.S. 136–89.56 reads as rewritten:

"**§ 136–89.56. Commercial enterprises.**

No commercial enterprises or activities shall be authorized or conducted by the Department of Transportation, or the governing body of any city or town, within or on the property acquired for or designated as a controlled–access facility, as defined in this Article, except ~~for vending~~ for:

(1) Materials displayed at welcome centers which shall be directly related to travel, accommodations, tourist–related activities, tourist–related services, and attractions. The Department of Transportation shall issue rules regulating the display of these materials. These materials may contain advertisements for real estate; and

(2) Vending machines permitted by the Department of Transportation and placed by the Division of Services for the Blind, Department of Human Resources, as the State licensing agency designated pursuant to Section 2(a)(5) of the Randolph–Sheppard Act (20 USC 107a(a)(5)). The Department of Transportation shall regulate the placing of the vending machines in highway rest areas and shall regulate the articles to be dispensed. In order to permit the establishment of adequate fuel and other service facilities by private owners or their lessees for the users of a controlled–access facility,

the Department of Transportation shall permit access to service or frontage roads within the publicly owned right–of–way of any controlled–access facility established or designated as provided in this Article, at points which, in the opinion of the Department of Transportation, will best serve the public interest. The location of such fuel and other service facilities may be indicated to the users of the controlled–access facilities by appropriate signs, the size, style, and specifications of which shall be determined by the Department of Transportation.

The location of fuel and other service facilities may be indicated to the users of the controlled access facilities by appropriate logos placed on signs owned, controlled, and erected by the Department of Transportation. The owners, operators or lessees of fuel and other service facilities who wish to place a logo identifying their business or service on a sign shall furnish a logo meeting the size, style and specifications determined by the Department of Transportation and shall pay the Department for the costs of initial installation and subsequent maintenance. The fees for logo sign installation and maintenance shall be set by the Board of Transportation based on cost."

Requested by: Representatives McLaughlin, Bowie, Crawford,
Senators Hoyle, Gulley

VISITOR CENTERS

Sec. 19.11. (a) The Department of Transportation, with the assistance of the Department of Commerce, shall collect the necessary data to accurately estimate the extent and type of use the public makes of the visitor centers on the State highway system. The Department shall use this data to develop a formula for allocating State resources for the funding of these visitor centers.

(b) The Department shall study and make a recommendation to the General Assembly about requiring a local match for funds appropriated by the State for the operations of local visitor centers.

(c) Until the Department reports to the General Assembly no new visitor centers shall be approved for addition to the State highway system.

(d) The Department shall submit the report required by this section no later than December 31, 1996, to the Joint Legislative Transportation Oversight Committee.

(e) G.S. 20–79.7(c)(2), as amended by Section 18.17 of Chapter 507 of the 1995 Session Laws, reads as rewritten:

"(2) From the funds remaining in the Special Registration Plate Account after the deductions in accordance with subdivision (1) of this subsection, there is annually appropriated from the Special Registration Plate Account the sum of five hundred twenty–five thousand dollars ($525,000) ~~for the 1995–96 fiscal year~~ to provide operating assistance for the Visitor ~~and Welcome~~ Centers:

a. on U.S. Highway 17 in Camden County, ($75,000);
b. on U.S. Highway 17 in Brunswick County, ($75,000);
c. on U.S. Highway 441 in Macon County, ($75,000);
d. in the Town of Boone, Watauga County, ($75,000);
e. on U.S. Highway 29 in Caswell County, ($75,000);
f. on U.S. Highway 70 in Carteret County, ($75,000); and
g. on U.S. Highway 64 in Tyrrell County, ($75,000)."

Requested by: Representatives Bowie, Crawford,
Senators Hoyle, Gulley

RAILROAD DIVIDEND USES

Sec. 19.12. G.S. 136–16.6 reads as rewritten:

"**§ 136–16.6. Continuing rail appropriations.**

(a) There is annually ~~appropriated~~ credited to the Highway Fund one hundred percent (100%) of the annual dividends received ~~in the prior fiscal year~~ by the State from its ownership of stock in the North Carolina Railroad Company ~~to the Highway Fund~~ for use by the Department of Transportation for railroad purposes.

(b) The Department of Transportation shall include in its annual budget the purposes for which the annual dividends received by the State from its ownership of stock in the North Carolina Railroad Company will be used.

These purposes may include the following project types to be included in the annual Transportation Improvement Program:

(1) Track and signal improvements for passenger service.
(2) Rail passenger stations and multimodal transportation centers.
(3) Grade crossing protection, elimination, and hazard removal.
(4) Rail rolling stock cars and locomotives.
(5) Rail rehabilitation.
(6) Industrial rail access.

The Department of Transportation shall use these funds to supplement but not supplant funds allocated for projects approved as part of the Transportation Improvement Program.

(c) There is annually appropriated to the Department of Transportation for railroad purposes one hundred percent (100%) of the funds credited to the Highway Fund pursuant to subsection (a) of this section."

Requested by: Representatives Bowie, Crawford,
Senators Hoyle, Gulley

RAIL TRAVEL ENHANCEMENT FUNDS

Sec. 19.13.(a) The Department of Transportation may spend up to three million dollars ($3,000,000) during the 1996–97 fiscal year for rail travel enhancement. Up to one million seven hundred thousand dollars ($1,700,000) of these funds may come from funds appropriated to the Highway Fund and up to one million three hundred thousand dollars ($1,300,000) may come from the Highway Fund credit balance remaining as of June 30, 1996. Any dividends received by the State during the 1996–97 fiscal year from its ownership of stock in the North Carolina Railroad Company shall be used to reimburse the Highway Fund for funds spent pursuant to this section.

(b) In future years rail travel enhancement funds shall come from funds appropriated pursuant to G.S. 136–16.6(c) or G.S. 136–44.20(d).

(c) This section becomes effective June 30, 1996.

Requested by: Representatives Bowie, Crawford,
Senators Hoyle, Gulley

DRIVERS EDUCATION FUNDING AND STUDY

Sec. 19.14. (a) From funds appropriated by this act to the Department of Transportation, the Department shall pay for the increased costs for drivers education due to the projected increase in average daily membership in the ninth grade drivers education program.

(b) The Joint Legislative Transportation Oversight Committee shall conduct a comprehensive study of the funding of drivers education by the Department of Transportation from the Highway Fund.

The Committee shall include, as part of the study which may consider other aspects, a consideration of:

(1) The method of accounting for the expenditure of Highway Fund monies by the Department of Public Instruction and the local school administrative units for drivers education;

(2) The method of reporting on these expenditures to the Office of State Budget and Management, the Department of Transportation, and to the General Assembly;

(3) An analysis of which school systems have or have not contracted with nongovernmental entities for providing drivers education; and

(4) A recommendation for the funding of drivers education from a dedicated funding source that provides for changes in average daily membership in the served student population.

The Joint Legislative Transportation Oversight Committee shall report the results of this study to the 1997 Session of the General Assembly.

PART 20. DEPARTMENT OF CORRECTION

Requested by: Representatives Holmes, Creech, Esposito,
Senator Ballance

USE OF FACILITIES CLOSED UNDER GPAC

Sec. 20.1. In conjunction with the closing of small expensive prison units recommended for consolidation by the Government Performance Audit Committee, the Department of Correction shall consult with the county or municipality in which the unit is located or any private for–profit or nonprofit firm about the possibility of converting that unit to other use. Consistent with existing law, the Department may provide for the lease of any of these units to counties, municipalities, or private firms wishing to convert them to other use. The Department of Correction may also consider converting some of the units recommended for closing from medium security to minimum security, where that conversion would be cost–effective.

The Department of Correction shall report quarterly to the Joint Legislative Corrections Oversight Committee on the conversion of these units to other use.

Requested by: Representatives Justus, Thompson, Kiser,
Senators Ballance, Rand, Cooper

REIMBURSEMENT TO COUNTIES FOR HOUSING COSTS OF INMATES AWAITING TRANSFER TO STATE PRISON SYSTEM

Sec. 20.2. (a) G.S. 148–29 reads as rewritten:

"**§ 148–29. Transportation of convicts to prison; reimbursement to counties; sheriff's expense ~~affidavit; State not liable for maintenance expenses until convict received.~~ affidavit.**

The sheriff having in charge any prisoner to be taken to the ~~Central Prison at Raleigh~~ State prison system shall send ~~him~~ the prisoner to the ~~Central Prison~~ custody of the Department of Correction within five days after ~~the adjournment of the court at which he was sentenced,~~ sentencing and the disposal of all pending charges against the prisoner, if no appeal has been taken. Beginning on the sixth day after sentencing and disposal of all pending charges against the prisoner and continuing through the day the prisoner is received by the Division of Prisons, the

Department of Correction shall pay the county a standard sum set by the General Assembly in its appropriations acts for the cost of providing food, clothing, personal items, supervision, and necessary ordinary medical services to the prisoner awaiting transfer to the State prison system.

The sheriff shall file with the board of commissioners of his county a copy of his affidavit as to necessary guard, together with a copy of his itemized account of expenses, both certified to by him as true copies of those on file in his office. ~~The State is not liable for the expenses of maintaining convicts until they have been received by the State Department of Correction authorities, nor shall any moneys be paid out of the treasury for support of convicts prior to such reception.~~"

(b) The Department of Correction may use funds available for the 1995–96 fiscal year to pay the sum of fourteen dollars and fifty cents ($14.50) per day as reimbursement to counties for the cost of housing inmates convicted and awaiting transfer to the State prison system, as provided in G.S. 148–29.

(c) Of the funds appropriated to the Department of Correction for the 1996–97 fiscal year, the Department may use up to fourteen million six hundred thousand dollars ($14,600,000) to raise the *per diem* reimbursement to counties from fourteen dollars and fifty cents ($14.50) per day to forty dollars ($40.00) per day for the cost of housing inmates convicted and awaiting transfer to the State prison system, as provided in G.S. 148–29. Counties shall send invoices to the Department no more than once monthly, and the Department shall make reimbursement within 30 days of receipt of the invoice.

(d) Subsections (a) and (b) of this section become effective January 1, 1996.

Requested by: Representatives Justus, Thompson,
Senator Ballance

COMBINATION OF PAROLE PROBATION FIELD SERVICES AND PAROLE PRE– AND POST–RELEASE SERVICES PROGRAMS FOR BUDGETING PURPOSES

Sec. 20.3. Notwithstanding any other provision of law, the Department of Correction may combine Parole Probation Field Services and Parole Pre– and Post–Release Services programs for budgeting purposes in order to reflect the actual operation in the field, since officers from each program are responsible for both parole and probation cases.

Requested by: Representatives Justus, Thompson,
Senator Ballance

MODIFICATION OF FUNDING FORMULA FROM THE NORTH CAROLINA STATE–COUNTY CRIMINAL JUSTICE PARTNERSHIP ACT

Sec. 20.4. Notwithstanding the funding formula set forth in G.S. 143B–273.15, grants made through the North Carolina State–County Criminal Justice Partnership Act for the 1996–97 fiscal year shall be distributed to the counties as specified in G.S. 143B–273.15(2) only, and not as discretionary funds. Appropriations not claimed or expended by counties during the 1996–97 fiscal year shall be distributed pursuant to G.S. 143B–273.15(1).

Requested by: Representatives Justus, Thompson,
Senator Ballance

DART AFTERCARE FUNDS SHALL NOT REVERT

Sec. 20.5. (a) Funds appropriated in this act to the Department of

Correction for the 1995–96 fiscal year for a Drug Alcohol Recovery Treatment (DART) aftercare program shall not revert at the end of the fiscal year but shall remain available to the Department during the 1996–97 fiscal year and be used to contract for up to three pilot programs statewide to provide aftercare services, including counseling and job referral services, for DART DWI offenders and other offenders who have completed a DART program in the Division of Prisons.

The Department of Correction shall report on the pilot programs to the Chairs of the Senate and House Appropriations Committees and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety by March 1, 1997. The report shall include information on the number of clients served, the quality of services, the cost–effectiveness of the services, and the benefits of the programs to offenders.

(b) This section becomes effective June 30, 1996.

Requested by: Representatives Justus, Thompson,
Senator Ballance

DEPARTMENT OF CORRECTION/DEPARTMENT OF HUMAN RESOURCES JOINT PLAN/RESERVE FOR SUBSTANCE ABUSE TREATMENT PILOT PROGRAM FOR PAROLEES AND PROBATIONERS SHALL NOT REVERT

Sec. 20.6. (a) The balance of the five hundred eighty–three thousand dollars ($583,000) appropriated in Chapter 24 of the Session Laws of the 1994 Extra Session to the Department of Correction for the 1994–95 fiscal year and carried forward to the 1995–96 fiscal year by Section 19.8 of Chapter 507 of the 1995 Session Laws for an intensive out–patient substance abuse treatment pilot program for parolees and probationers with serious substance abuse histories shall not revert at the end of the fiscal year but shall remain available to the Department during the 1996–97 fiscal year to be used for the operation and evaluation of the Department of Correction/Department of Human Resources joint substance abuse program, the Drug Alcohol Recovery Treatment (DART) aftercare pilot program, and other prison–based or community corrections substance abuse programs in the Department of Correction, as determined by the Secretary of Correction.

The Department of Correction shall report quarterly to the Joint Legislative Corrections Oversight Committee on the use of these funds and any benefits realized. The Department of Human Resources shall participate in these reports as they relate to the joint project.

(b) This section becomes effective June 30, 1996.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Ballance, Odom

SALARY CONTINUATION BENEFITS FOR ALL DEPARTMENT OF CORRECTION EMPLOYEES INJURED BY DELIBERATE ACT OR WHILE PERFORMING SUPERVISORY DUTIES

Sec. 20.7. (a) G.S. 143–166.13(b) reads as rewritten:

"(b) The following persons are entitled to benefits under this Article regardless of whether they are subject to the Criminal Justice Training and Standards Act:

(1) Driver License Examiners injured by accident arising out of and in the course of giving a road test, Division of Motor Vehicles, Department of ~~Transportation.~~ Transportation;

(2) Employees of the Department of Correction injured by a direct and deliberate act of an offender supervised by the Department or

while performing supervisory duties over offenders which place the employees at risk of such injury."

(b) This section applies to injuries occurring on or after the effective date of this act.

Requested by: Senator Ballance,
Representatives Justus, Thompson

REPORT ON WOMEN AT RISK

Sec. 20.8. The Women at Risk Program shall report by December 1, 1996, and by May 1, 1997, to the Joint Legislative Commission on Governmental Operations, the Chairs of the House and Senate Appropriations Committees, and the Chairs of the House and Senate Appropriations Subcommittees on Justice and Public Safety on the expenditure of State appropriations and on the effectiveness of the program, including information on the number of clients served, the number of clients who have had their probation revoked, and the number of clients who have successfully completed the program.

Requested by: Representatives Justus, Thompson, Kiser,
Senators Ballance, Rand, Cooper

FEDERAL MATCHING FUNDS

Sec. 20.9. Section 27.10A of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 27.10A. Appropriations made ~~in this act~~ for the 1995–97 biennium to the Office of State Construction of the Department of Administration for construction of new prison beds, ~~excluding the sum of seven million five hundred thousand dollars ($7,500,000) to be used for the design and preliminary site work,~~ are to match federal funds available for prison ~~construction in the 1995 or 1996 federal fiscal year or subsequent federal fiscal years. If the federal match is not made available by January 1, 1996, these State funds shall be made available to the Office of State Construction of the Department of Administration for construction of new prison beds, segregation units, and support buildings and systems as specified in this act.~~ construction. Appropriations not needed or used to match federal funds may be made available for construction of new prison beds, segregation units, support buildings and systems, and other needed facilities.

The Office of State Construction shall report to the Chairs of the Joint Legislative Commission on Governmental Operations, the Joint Legislative Corrections Oversight Committee, the Chairs of the Senate and House Appropriations Committees, and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety on the availability of federal prison construction matching funds."

Requested by: Representatives Justus, Thompson,
Senator Ballance

USE OF PRISON MATCH FUNDS

Sec. 20.10. Section 27.10A1 of Chapter 507 of the 1995 Session Laws is repealed. Any funds appropriated in Chapter 507 of the 1995 Session Laws for construction of new prison beds that are not needed to construct prisons for the 1995–97 fiscal biennium shall be placed in a reserve for appropriation by the 1997 General Assembly.

Requested by: Senators Ballance, Rand, Cooper,
Representatives Justus, Thompson, Kiser

ALTERNATIVES TO OUT-OF-STATE HOUSING

Sec. 20.11. The Department of Correction shall investigate methods of housing inmates within the State rather than in out-of-state facilities, including the use of modular units and small units scheduled to be closed as a result of the recommendations made by the Government Performance Audit Committee. The Department shall report its findings and recommendations quarterly to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Correction Oversight Committee.

Requested by: Senators Ballance, Rand, Cooper,
Representatives Justus, Thompson, Kiser

HARRIET'S HOUSE FUNDS

Sec. 20.12. (a) Section 19.7 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 19.7. Of the funds appropriated to the Department of Correction, the sum of two hundred thousand dollars ($200,000) for the 1995-96 fiscal year and the sum of two hundred thousand dollars ($200,000) for the 1996-97 fiscal year shall be used to support the programs of Harriet's House, a transitional home for female ex-offenders and their children. The funds may be used for program operating costs, the purchase of equipment, and the rental of real property. Harriet's House shall report quarterly to the Joint Legislative Commission on Governmental Operations on the expenditure of State appropriations and on the effectiveness of the program including information on the number of clients served and the number of clients who successfully complete the Harriet's House program."

(b) The balance of the two hundred thousand dollars ($200,000) appropriated in Chapter 507 of the 1995 Session Laws to the Department of Correction for the 1995-96 fiscal year to support the programs at Harriet's House shall not revert at the end of the fiscal year but shall remain available to the Department during the 1996-97 fiscal year to be used for program operating costs, the purchase of equipment, and the rental of real property.

(c) This section becomes effective June 30, 1996.

Requested by: Senators Ballance, Cooper, Rand,
Representatives Justus, Thompson, Kiser

CREATE A NEW FELONY OFFENSE OF ASSAULT INFLICTING SERIOUS BODILY INJURY AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION, TO INCREASE THE PUNISHMENT FOR SALE OF HANDGUNS TO MINORS TO A CLASS H FELONY, AND TO INCREASE THE PUNISHMENT FOR SALE OF CONTROLLED SUBSTANCES TO PERSONS UNDER AGE SIXTEEN OR PREGNANT FEMALES TO A CLASS D FELONY

Sec. 20.13. (a) Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-32.4. Assault inflicting serious bodily injury.

Unless the conduct is covered under some other provision of law providing greater punishment, any person who assaults another person and inflicts serious bodily injury is guilty of a Class F felony. 'Serious bodily injury' is defined as bodily injury that creates a substantial risk of death, or that causes serious permanent disfigurement, coma, a permanent or protracted condition that causes extreme

pain, or permanent or protracted loss or impairment of the function of any bodily member or organ, or that results in prolonged hospitalization."

(b) G.S. 14–315(a1) reads as rewritten:

"(a1) Sale of Handguns. — If a person sells, offers for sale, gives, or in any way transfers to a minor any handgun as defined in G.S. 14–269.7, the person is guilty of a ~~Class I~~ Class H felony and, in addition, shall forfeit the proceeds of any sale made in violation of this section. This section does not apply in any of the following circumstances:

(1) The handgun is lent to a minor for temporary use if the minor's possession of the handgun is lawful under G.S. 14–269.7 and G.S. 14–316 and is not otherwise unlawful.

(2) The handgun is transferred to an adult custodian pursuant to Chapter 33A of the General Statutes, and the minor does not take possession of the handgun except that the adult custodian may allow the minor temporary possession of the handgun in circumstances in which the minor's possession of the handgun is lawful under G.S. 14–269.7 and G.S. 14–316 and is not otherwise unlawful.

(3) The handgun is a devise or legacy and is distributed to a parent or guardian under G.S. 28A–22–7, and the minor does not take possession of the handgun except that the parent or guardian may allow the minor temporary possession of the handgun in circumstances in which the minor's possession of the handgun is lawful under G.S. 14–269.7 and G.S. 14–316 and is not otherwise unlawful."

(c) G.S. 90–95(e)(5) reads as rewritten:

"(5) Any person 18 years of age or over who violates G.S. 90–95(a)(1) by selling or delivering a controlled substance to a person under 16 years of age or a pregnant female shall be punished as a ~~Class E~~ Class D felon. Mistake of age is not a defense to a prosecution under this section. It shall not be a defense that the defendant did not know that the recipient was pregnant;".

(d) This section becomes effective January 1, 1997, and applies to offenses committed on or after that date.

Requested by: Representatives Justus, Thompson, Kiser,
Senators Ballance, Odom, Rand, Cooper

EXTEND THE REGULAR PERIOD OF POST-RELEASE SUPERVISION FROM SIX TO NINE MONTHS/EXTEND THE PERIOD OF POST-RELEASE SUPERVISION TO FIVE YEARS FOR SEX OFFENDERS/PROVIDE FOR SPECIAL CONDITIONS OF POST-RELEASE SUPERVISION FOR SEX OFFENDERS AND PERSONS CONVICTED OF OFFENSES INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF MINORS/PROVIDE FOR MANDATORY CONDITIONS OF PROBATION FOR SEX OFFENDERS AND PERSONS CONVICTED OF OFFENSES INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF CHILDREN

Sec. 20.14. (a) G.S 15A–1368.2(c) reads as rewritten:

"(c) A supervisee's period of post–release supervision shall be for a period of ~~six months.~~ nine months, unless the offense is an offense for which registration is required pursuant to Article 27A of Chapter 14 of the General Statutes. For offenses subject to the registration requirement of Article 27A of Chapter 14 of the General Statutes, the period of post–release supervision is five years. The conditions of post–release supervision are as authorized in G.S. 15A–1368.5."

(b) G.S. 15A–1368.4 is amended by adding a new subsection to read:

"(b1) Additional Required Conditions for Sex Offenders and Persons Convicted of Offenses Involving Physical, Mental, or Sexual Abuse of a Minor. — In addition to the required condition set forth in subsection (b) of this section, for a supervisee who has been convicted of an offense which is a reportable conviction as defined in G.S. 14–208.6(4), or which involves the physical, mental, or sexual abuse of a minor, controlling conditions, violations of which may result in revocation of post–release supervision, are:

(1) Register as required by G.S. 14–208.7 if the offense is a reportable conviction as defined by G.S. 14–208.6(4).

(2) Participate in such evaluation and treatment as is necessary to complete a prescribed course of psychiatric, psychological, or other rehabilitative treatment as ordered by the Commission.

(3) Not communicate with, be in the presence of, or found in or on the premises of the victim of the offense.

(4) Not reside in a household with any minor child if the offense is one in which there is evidence of sexual abuse of a minor.

(5) Not reside in a household with any minor child if the offense is one in which there is evidence of physical or mental abuse of a minor, unless a court of competent jurisdiction expressly finds that it is unlikely that the defendant's harmful or abusive conduct will recur and that it would be in the child's best interest to allow the supervisee to reside in the same household with a minor child."

(c) G.S. 15A–1343 is amended by adding a new subsection to read:

"(b2) Special Conditions of Probation for Sex Offenders and Persons Convicted of Offenses Involving Physical, Mental, or Sexual Abuse of a Minor. — As special conditions of probation, a defendant who has been convicted of an offense which is a reportable conviction as defined in G.S. 14–208.6(4), or which involves the physical, mental, or sexual abuse of a minor, must:

(1) Register as required by G.S. 14–208.7 if the offense is a reportable conviction as defined by G.S. 14–208.6(4).

(2) Participate in such evaluation and treatment as is necessary to complete a prescribed course of psychiatric, psychological, or other rehabilitative treatment as ordered by the court.

(3) Not communicate with, be in the presence of, or found in or on the premises of the victim of the offense.

(4) Not reside in a household with any minor child if the offense is one in which there is evidence of sexual abuse of a minor.

(5) Not reside in a household with any minor child if the offense is one in which there is evidence of physical or mental abuse of a minor, unless the court expressly finds that it is unlikely that the defendant's harmful or abusive conduct will recur and that it would be in the minor child's best interest to allow the probationer to reside in the same household with a minor child.

(6) Satisfy any other conditions determined by the court to be reasonably related to his rehabilitation.

Defendants subject to the provisions of this subsection shall not be placed on unsupervised probation."

(d) This section becomes effective December 1, 1996.

Requested by: Senators Ballance, Cooper, Rand,
Representatives Decker, Justus, Thompson, Kiser

CLASS F FELONY OFFENSE TO ASSAULT A LAW ENFORCEMENT OFFICER AND INFLICT SERIOUS BODILY INJURY/CREATE A NEW CRIMINAL OFFENSE OF ASSAULTING FIREFIGHTER

Sec. 20.14B. (a) Article 8 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"**§ 14-34.7. Assault on a law enforcement officer.**

Unless covered under some other provision of law providing greater punishment, a person is guilty of a Class F felony if the person assaults a law enforcement officer while the law enforcement officer is discharging or attempting to discharge his or her official duties and inflicts serious bodily injury on the law enforcement officer."

(b) G.S. 143-34.6 reads as rewritten:

"**§ 14-34.6. Assault or affray on a firefighter; an emergency medical technician, ambulance attendant, emergency department nurse, or emergency department physician.**

(a) A person is guilty of a Class A1 misdemeanor if the person commits an assault or an affray on any of the following persons who are discharging or attempting to discharge their official duties:

(1) ~~an~~ An emergency medical ~~technician,~~ technician.

(2) An ambulance ~~attendant,~~ attendant.

(3) An emergency department ~~nurse, or~~ nurse.

(4) An emergency department ~~physician while the technician, attendant, nurse, or physician is discharging or attempting to discharge official duties.~~ physician.

(5) A firefighter.

(b) Unless a person's conduct is covered under some other provision of law providing greater punishment, a person is guilty of a Class I felony if the person violates subsection (a) of this section and (i) inflicts serious bodily injury or (ii) uses a deadly weapon other than a firearm.

(c) Unless a person's conduct is covered under some other provision of law providing greater punishment, a person is guilty of a Class F felony if the person violates subsection (a) of this section and uses a firearm."

(c) This section becomes effective December 1, 1996, and applies to offenses committed on or after that date.

Requested by: Senators Ballance, Rand, Cooper,
Representatives Justus, Thompson, Kiser

ELIMINATE WAIVER OF PRELIMINARY HEARINGS IN PAROLE AND POST-RELEASE SUPERVISION REVOCATION PROCEEDINGS

Sec. 20.15. (a) G.S. 15A-1376 reads as rewritten:

"(b) When and Where Preliminary Hearing on Parole Violation Required. — Unless the hearing required by subsection (e) is first held ~~or the parolee waives the hearing~~ or a continuance is requested by the parolee, a preliminary hearing on parole violation must be held reasonably near the place of the alleged violation or arrest and within seven working days of the arrest of a parolee to determine whether there is probable cause to believe that he violated a condition of parole. Otherwise, the parolee must be released seven working days after his arrest to continue on parole pending a hearing. If the parolee is not within the State, his preliminary hearing is as prescribed by G.S. 148-65.1A."

(b) G.S. 15A–1368.6 reads as rewritten:

"(b) When and Where Preliminary Hearing on Post–Release Supervision Violation Required. — Unless the hearing required by subsection (e) of this section is first held ~~or the supervisee waives the hearing~~ or a continuance is requested by the supervisee, a preliminary hearing on supervision violation shall be held reasonably near the place of the alleged violation or arrest and within seven working days of the arrest of a supervisee to determine whether there is probable cause to believe that the supervisee violated a condition of post–release supervision. Otherwise, the supervisee shall be released seven working days after arrest to continue on supervision pending a hearing. If the supervisee is not within the State, the preliminary hearing is as prescribed by G.S. 148–65.1A."

(c) This section is effective upon ratification.

Requested by: Senators Ballance, Cooper, Rand,
Representatives Justus, Thompson, Kiser

FUNDS TO HOUSE PRISONERS OUT OF STATE

Sec. 20.16. In addition to appropriations needed to fund the existing 1,867 contracted beds in out–of–state facilities, the Department of Correction may use up to ten million dollars ($10,000,000) of the funds appropriated to the Department for the 1996–97 fiscal year to contract to house up to 500 prisoners out of state.

Requested by: Representatives Justus, Thompson, Kiser,
Senators Ballance, Rand, Cooper

AUDIT OF DIVISION OF ADULT PROBATION AND PAROLE

Sec. 20.17. The Joint Legislative Corrections Oversight Committee shall develop a plan for conducting a performance audit of the Division of Adult Probation and Parole of the Department of Correction. The plan shall include recommendations on the appropriate entity to conduct the audit, an outline of the issues and areas to be studied, an estimate of the funding necessary to conduct the audit, and the appropriate date for issuance of the final audit report. The plan shall be submitted to the General Assembly upon the convening of the 1997 Regular Session.

Requested by: Representatives Justus, Thompson, Kiser,
Senators Ballance, Cooper, Rand

ADDITIONAL PRIVATE PRISON BEDS

Sec. 20.18. G.S. 148–37(g) reads as rewritten:

"(g) The Secretary of Correction may contract with private for–profit or non-profit firms for the provision and operation of ~~two~~ four or more confinement facilities totaling up to ~~1,000~~ 2,000 beds in the State to house State prisoners when to do so would most economically and effectively promote the purposes served by the Department of Correction. This ~~1,000–bed~~ 2,000–bed limitation shall not apply to the 500 beds in private substance abuse treatment centers authorized by the General Assembly prior to July 1, 1995. Whenever the Department of Correction determines that new prison facilities are required in addition to existing and planned facilities, the Department may contract for any remaining beds authorized by this section before constructing State–operated facilities.

Contracts entered under the authority of this subsection shall be for a period not to exceed 10 years, shall be renewable from time to time for a period not to exceed 10 ~~years, and are subject to the approval of the Council of State and the Department of Administration, after consultation with the Joint Legislative~~

~~Commission on Governmental Operations. Confinement facilities provided under the authority of this subsection shall not be used for the purpose of consolidating existing State confinement facilities.~~ years. The Secretary of Correction shall enter contracts under this subsection only if funds are appropriated for this purpose by the General Assembly. Contracts entered under the authority of this subsection may be subject to any requirements for the location of the confinement facilities set forth by the General Assembly in appropriating those funds.

Once the Department has made a determination to contract for additional private prison beds, it shall issue a request for proposals within 30 days of the decision. The request for proposals shall require bids to be submitted within two months, and the Department shall award contracts at the earliest practicable date after the submission of bids. The Secretary of Correction, in consultation with the Chairs of the Joint Legislative Corrections Oversight Committee and the Chairs of the House and Senate Appropriations Subcommittees on Justice and Public Safety, shall make recommendations to the State Purchasing Officer on the final award decision. The State Purchasing Officer shall make the final award decision, and the contract shall then be subject to the approval of the Council of State after consultation with the Joint Legislative Commission on Governmental Operations.

Contracts made under the authority of this subsection may provide the State with an option to purchase the confinement facility or may provide for the purchase of the confinement facility by the State. Contracts made under the authority of this subsection shall state that plans and specifications for private confinement facilities shall be furnished to and reviewed by the Office of State Construction. The Office of State Construction shall inspect and review each project during construction to ensure that the project is suitable for habitation and to determine whether the project would be suitable for future acquisition by the State. ~~The Department of Correction may give preference to facilities intended for joint county and State use where such facilities are developed by public/private partnerships and financed by tax-exempt bond issues, and where such facilities offer general terms and conditions favorable to the State in the competitive bidding process pursuant to Article 8 of Chapter 143 of the General Statutes.~~ All contracts for the housing of State prisoners in private confinement facilities shall require a minimum of ten million dollars ($10,000,000) of occurrence-based liability insurance and shall hold the State harmless and provide reimbursement for all liability arising out of actions caused by operations and employees of the private confinement facility.

Prisoners housed in private confinement facilities pursuant to this subsection shall remain subject to the rules adopted for the conduct of persons committed to the State prison system. The Secretary of Correction may review and approve the design and construction of private confinement facilities before housing State prisoners in these facilities. The rules regarding good time, gain time, and earned credits, discipline, classification, extension of the limits of confinement, transfers, housing arrangements, and eligibility for parole shall apply to inmates housed in private confinement facilities pursuant to this subsection. The operators of private confinement facilities may adopt any other rules as may be necessary for the operation of those facilities with the written approval of the Secretary of Correction. Custodial officials employed by a private confinement facility are agents of the Secretary of Correction and may use those procedures for use of force authorized by the Secretary of Correction to defend themselves, to enforce the observance of discipline in compliance with confinement facility rules, to secure the

person of a prisoner, and to prevent escape. Private firms under this subsection shall employ inmate disciplinary and grievance policies of the North Carolina Department of Correction."

Requested by: Representative Thompson,
Senator Perdue

PRIVATE PRISON SITES

Sec. 20.19. The two 500–bed private confinement facilities awarded to United States Corrections Corporation pursuant to the provisions of G.S. 148–37(g) and State purchasing and contract procedures shall be located at the Pamlico and Avery/Mitchell sites. Construction shall begin by December 31, 1996, at both of these sites.

Requested by: Senators Plyler, Perdue, Odom, Ballance, Rand, Cooper

CORRECTIONAL FACILITIES

Sec. 20.20. Of the funds authorized in this act for correctional facilities, the sum of two million three hundred fifty thousand dollars ($2,350,000) shall be used for planning and design of facilities as follows:

Facility	Location	Number of Beds	Custody
Central Prison Diagnostic Center	Wake	196	Close
Warren Correctional Institution	Warren	168	Med./Close
Single Cell Facility	Metro Area	520	Close
208 Bed Dorm and Food Service Bldg. – NCCIW	Wake	–	–
Building to Centralize Personnel	Wake	–	–
Single Cell Facility	Scotland	712	Close
Single Cell Facility	Alexander	520	Close

PART 21. DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

Requested by: Representatives Justus, Thompson,
Senators Ballance, Parnell

EXTEND DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY STUDY COMMISSION

Sec. 21.1. (a) Section 20.4(d) of Chapter 324 of the 1995 Session Laws reads as rewritten:

"(d) The Study Commission shall make an interim report to the 1996 Regular Session of the 1995 General Assembly by May 1, 1996, and shall submit a final written report of its findings and recommendations to the ~~General Assembly by May 1, 1996.~~ 1997 General Assembly. All reports shall be filed with the Speaker of the House of Representatives and the President *Pro Tempore* of the Senate. Upon filing its final report, the Commission shall terminate."

(b) This section becomes effective April 30, 1996.

Requested by: Senators Ballance, Rand, Cooper,
Representatives Justus, Thompson, Kiser

STUDY LAW ENFORCEMENT OFFICER COMPENSATION AND SALARY CONTINUATION FOR RESIDENTIAL FACILITY EMPLOYEES

Sec. 21.2. (a) The Office of State Personnel shall study:

(1) Employee classifications, salary schedules, pay equity, and pay inequities for all sworn law enforcement personnel certified by the North Carolina Criminal Justice Education and Training Standards Commission in every State law enforcement agency. The study shall consider appropriate factors related to the compensation of law enforcement personnel, including job specifications and qualifications required by the Office of State Personnel, the compensation of personnel in accordance with educational levels and years of experience, and the equity of compensation between all State law enforcement agencies.

(2) The feasibility and desirability of providing salary continuation pursuant to Article 12B of Chapter 143 of the General Statutes for employees of State–operated residential facilities who have been injured by acts of persons housed at the facilities or who have been injured while performing supervisory duties over persons housed at the facilities.

(3) Issues related to civilianizing certain State government law enforcement functions and positions, including the appropriate use of nonsworn, noncertified personnel in positions for which sworn status is not cost–effective or required. This study shall include the recommendations made by the Government Performance Audit Committee on civilianization to the 1993 General Assembly.

(b) The Office of State Personnel shall report to the Criminal Law Study Commission on its findings and recommendations related to the studies mandated by this section no later than December 15, 1996.

Requested by: Representatives Justus, Thompson, Kiser,
Senators Ballance, Rand, Cooper

REPORT ON STATE HIGHWAY PATROL POLICY AND PROCEDURES FOR STOPPING MOTORISTS

Sec. 21.3 (a) The Division of the State Highway Patrol, Department of Crime Control and Public Safety, shall report to the Crime Control and Public Safety Study Commission, the Chairs of the House and Senate Appropriations Committees, and the Chairs of the House and Senate Appropriations Subcommittees on Justice and Public Safety on the promotional system adopted by the State Highway Patrol on May 15, 1996. The Department shall report on the criteria and qualifications used to rank troopers and supervisors in the system and on the progress of the training process of the system by January 1, 1997. By July 1, 1997, the Department shall report on the implementation of the promotional system, including the number of troopers and supervisors eligible for promotion, the number of troopers and supervisors promoted, and the criteria used to rank each trooper and supervisor promoted under the system.

(b) The Division of the State Highway Patrol, Department of Crime Control and Public Safety, shall report to the Crime Control and Public Safety Study Commission, the Chairs of the House and Senate Appropriations Committees, and the Chairs of the House and Senate Appropriations Subcommittees on Justice and Public Safety on the policy, procedures, and guidelines used by the

Division in determining which motorists to stop and question, and which vehicles to search, in relation to any suspected illegal activity by November 1, 1996. The Department shall include in its report a review and explanation of the training of the Special Emphasis Team troopers on drug interdiction, including methods, indicators, and profiles used to detect drug traffickers.

Requested by: Senators Ballance, Rand, Cooper,
Representatives Justus, Thompson, Kiser

MAINTAIN BUTNER PUBLIC SAFETY FEES AS GENERAL AVAILABILITY

Sec. 21.4. Effective June 21, 1996, G.S. 122C–411.1 is repealed.

PART 22. JUDICIAL DEPARTMENT

Requested by: Representatives Justus, Thompson, Kiser,
Senators Ballance, Rand, Cooper

ADDITIONAL ASSISTANT DISTRICT ATTORNEYS

Sec. 22. (a) G.S. 7A–60(a1) reads as rewritten:

"(a1) The counties of the State are organized into prosecutorial districts, and each district has the counties and the number of full–time assistant district attorneys set forth in the following table:

Prosecutorial District	Counties	No. of Full–Time Asst. District Attorneys
1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	~~8~~ 9
2	Beaufort, Hyde, Martin, Tyrrell, Washington	~~4~~ 5
3A	Pitt	~~7~~ 8
3B	Carteret, Craven, Pamlico	~~6~~ 8
4	Duplin, Jones, Onslow, Sampson	~~10~~ 12
5	New Hanover, Pender	~~9~~ 11
6A	Halifax	~~3~~ 4
6B	Bertie, Hertford, Northampton	~~3~~ 4
7	Edgecombe, Nash, Wilson	~~10~~ 12
8	Greene, Lenoir, Wayne	~~8~~ 10
9	Franklin, Granville, Vance, Warren	~~8~~ 9
9A	Person, Caswell	~~2~~ 3
10	Wake	~~20~~ 23
11	Harnett, Johnston, Lee	~~10~~ 11
12	Cumberland	~~12~~ 14
13	Bladen, Brunswick, Columbus	~~6~~ 8
14	Durham	~~9~~ 10
15A	Alamance	~~6~~ 7
15B	Orange, Chatham	~~5~~ 6
16A	Scotland, Hoke	~~3~~ 4
16B	Robeson	~~7~~ 8
17A	Rockingham	~~4~~ 5
17B	Stokes, Surry	~~4~~ 5
18	Guilford	~~18~~ 22
19A	Cabarrus	~~4~~ 5

19B	Montgomery, Randolph	5
19C	Rowan	~~4~~ 5
20	Anson, Moore, Richmond, Stanly, Union	12
21	Forsyth	~~12~~ 13
22	Alexander, Davidson, Davie, Iredell	~~11~~ 13
23	Alleghany, Ashe, Wilkes, Yadkin	~~4~~ 5
24	Avery, Madison, Mitchell, Watauga, Yancey	~~3~~ 4
25	Burke, Caldwell, Catawba	~~11~~ 12
26	Mecklenburg	~~24~~ 29
27A	Gaston	~~8~~ 10
27B	Cleveland, Lincoln	~~5~~ 6
28	Buncombe	~~8~~ 9
29	Henderson, McDowell, Polk, Rutherford, Transylvania	~~8~~ 10
30	Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain."	~~6~~ 7

(b) This section becomes effective January 1, 1997.

Requested by: Representatives Justus, Thompson, Senator Ballance

ASSISTANT PUBLIC DEFENDERS

Sec. 22.1. From funds appropriated to the Indigent Persons' Attorney Fee Fund for the 1996–97 fiscal year, the Administrative Office of the Courts may use up to three hundred sixty–five thousand three hundred seventy–six dollars ($365,376) for salaries, benefits, and related expenses to establish up to 11 new assistant public defenders.

Requested by: Representatives Justus, Thompson, Senator Ballance

RESERVE FOR DRUG TREATMENT COURT PROGRAM

Sec. 22.2. (a) Of the funds appropriated to the Judicial Department in the certified budget for the 1995–96 fiscal year to the Reserve for Court/Drug Treatment Program, established by Section 41 of Chapter 24 of the Session Laws of the 1994 Extra Session, as amended by Section 21.6 of Chapter 507 of the 1995 Session Laws, up to the sum of one hundred seventy–five thousand dollars ($175,000) of any balance remaining in the reserve shall not revert, but may be used during the 1996–97 fiscal year for nonrecurring program items.

(b) This section becomes effective June 30, 1996.

Requested by: Representatives Justus, Thompson, Senator Ballance

ANNUAL REPORT ON RECIDIVISM

Sec. 22.3. The Judicial Department, through the North Carolina Sentencing and Policy Advisory Commission, and the Department of Correction shall jointly prepare an annual report on recidivism among criminal offenders. The findings of the report shall be based upon methodology similar to that employed in the May 1, 1996, Recidivism Study that was presented to the Chairs of the House and Senate Appropriations Committees and the Chairs of the House and Senate Appropriations Subcommittees on Justice and Public Safety. This methodology shall include tracking of all offenders assigned to community corrections

programs or released from prison by fiscal year, beginning with the 1993–94 fiscal year for the first year's report, and then identifying those offenders rearrested within two years or more after assignment to a program or release from prison. Community correction programs to be included in the report are the Treatment Alternatives to Street Crime (TASC), the Community Penalties Program, Community Service, all supervised probation and parole programs, and all community correction programs supervised or funded by the Department of Correction.

As part of this joint project, the Department of Correction shall provide the Sentencing and Policy Advisory Commission with a computerized list of offenders released from prison and offenders entering supervised probation during the specified time period. The list shall include specific offender–identifying information and clearly identify offenders entering community corrections programs supervised or funded by the Department of Correction. The Sentencing and Policy Advisory Commission shall be responsible for matching offenders to Division of Criminal Information (DCI) criminal records and for the production and printing of the final report.

Data collection and report preparation for the first year shall be funded from the sum of four thousand dollars ($4,000) appropriated to the Judicial Department for the 1996–97 fiscal year for that purpose, and grant funds available to the Department of Correction for the 1996–97 fiscal year, up to the sum of twenty–five thousand dollars ($25,000). The report shall be due by April 1 of each year.

Requested by: Representatives Justus, Thompson, Kiser,
Senators Ballance, Rand, Cooper

AUTHORIZE ADDITIONAL MAGISTRATES

Sec. 22.4. G.S. 7A–133(c) reads as rewritten:

"(c) Each county shall have the numbers of magistrates and additional seats of district court, as set forth in the following table:

County	Magistrates Min.	Magistrates Max.	Additional Seats of Court
Camden	1	2	
Chowan	2	3	
Currituck	1	3	
Dare	3	8	
Gates	2	3	
Pasquotank	3	5	
Perquimans	2	3	
Martin	5	8	
Beaufort	4	8	
Tyrrell	1	3	
Hyde	2	4	
Washington	3	4	
Pitt	10	12	Farmville Ayden
Craven	7	10	Havelock
Pamlico	2	3	
Carteret	5	8	

Sampson	6	8	
Duplin	9	11	
Jones	2	3	
Onslow	8	14	
New Hanover	6	11	
Pender	4	6	
Halifax	9	14	Roanoke Rapids, Scotland Neck
Northampton	5	~~6~~ 7	
Bertie	4	~~5~~ 6	
Hertford	5	6	
Nash	7	10	Rocky Mount
Edgecombe	4	6	Rocky Mount
Wilson	4	6	
Wayne	5	11	Mount Olive
Greene	2	4	
Lenoir	4	10	La Grange
Granville	3	7	
Vance	3	~~5~~ 6	
Warren	3	4	
Franklin	3	6	
Person	3	4	
Caswell	2	5	
Wake	12	20	Apex, Wendell, Fuquay–Varina, Wake Forest
Harnett	7	11	Dunn
Johnston	10	12	Benson, Clayton, Selma
Lee	4	6	
Cumberland	10	17	
Bladen	4	6	
Brunswick	4	7	
Columbus	6	8	Tabor City
Durham	8	12	
Alamance	7	10	Burlington
Orange	4	11	Chapel Hill
Chatham	3	8	Siler City
Scotland	3	5	
Hoke	4	5	
Robeson	8	16	Fairmont, Maxton, Pembroke, Red Springs, Rowland, St. Pauls
Rockingham	4	9	Reidsville, Eden, Madison
Stokes	2	5	
Surry	5	9	Mt. Airy
Guilford	20	26	High Point
Cabarrus	5	9	Kannapolis
Montgomery	2	4	
Randolph	5	~~8~~ 10	Liberty

Rowan	5	10	
Stanly	5	6	
Union	4	6	
Anson	4	5	
Richmond	5	6	Hamlet
Moore	5	8	Southern Pines
Forsyth	3	15	Kernersville
Alexander	2	3	
Davidson	7	10	Thomasville
Davie	2	3	
Iredell	4	9	Mooresville
Alleghany	1	2	
Ashe	3	4	
Wilkes	4	6	
Yadkin	3	5	
Avery	3	4	
Madison	4	5	
Mitchell	3	4	
Watauga	4	6	
Yancey	2	4	
Burke	4	7	
Caldwell	4	7	
Catawba	6	10	Hickory
Mecklenburg	15	26	
Gaston	11	20	
Cleveland	5	8	
Lincoln	4	~~6~~ 7	
Buncombe	6	15	
Henderson	4	~~6~~ 7	
McDowell	3	5	
Polk	3	4	
Rutherford	6	8	
Transylvania	2	4	
Cherokee	3	4	
Clay	1	2	
Graham	2	3	
Haywood	5	7	Canton
Jackson	3	4	
Macon	3	4	
Swain	2	3."	

Requested by: Senators Odom, Ballance, Cooper, Rand,
Representatives Daughtry, Justus, Thompson, Kiser

FOUR NEW SPECIAL SUPERIOR COURT JUDGES/MAKE CURRENT SPECIAL SUPERIOR COURT JUDGE TERMS CONSISTENT

Sec. 22.6. (a) G.S. 7A–45.1 reads as rewritten:

"**§ 7A–45.1. Special judges.**

(a) Effective November 1, 1993, the Governor may appoint two special superior court judges to serve terms expiring ~~December 31, 1998.~~ September 30, 2000. Successors to the special superior court judges appointed pursuant to this

subsection shall be appointed to ~~four-year~~ five-year terms. A special judge takes the same oath of office and is subject to the same requirements and disabilities as are or may be prescribed by law for regular judges of the superior court, save the requirement of residence in a particular district.

(a1) Effective October 1, 1995, the Governor may appoint two special superior court judges to serve terms expiring September 30, 2000. Successors to the special superior court judges appointed pursuant to this subsection shall be appointed to five-year terms. A special judge takes the same oath of office and is subject to the same requirements and disabilities as are or may be prescribed by law for regular judges of the superior court, save the requirement of residence in a particular district.

(a2) Effective December 15, 1996, the Governor may appoint four special superior court judges to serve terms expiring December 14, 2001. Successors to the special superior court judges appointed pursuant to this subsection shall be appointed to five-year terms. A special judge takes the same oath of office and is subject to the same requirements and disabilities as are or may be prescribed by law for regular judges of the superior court, save the requirement of residence in a particular district.

(b) A special judge is subject to removal from office for the same causes and in the same manner as a regular judge of the superior court, and a vacancy occurring in the office of special judge is filled by the Governor by appointment for the unexpired term.

(c) A special judge, in any court in which he is duly appointed to hold, has the same power and authority in all matters that a regular judge holding the same court would have. A special judge, duly assigned to hold the court of a particular county, has during the session of court in that county, in open court and in chambers, the same power and authority of a regular judge in all matters arising in the district or set of districts as defined in G.S. 7A-41.1(a) in which that county is located, that could properly be heard or determined by a regular judge holding the same session of court.

(d) A special judge is authorized to settle cases on appeal and to make all proper orders in regard thereto after the time for which he was commissioned has expired."

(b) Section 24.7 of Chapter 769 of the 1993 Session Laws reads as rewritten:

"Sec. 24.7. Notwithstanding G.S. 7A-45, G.S. 7A-45.1, Section 7 of Chapter 509 of the 1987 Session Laws, or any other provision of law, if any special superior court judge who is holding office on the effective date of this act first took office as an appointed or elected regular or special superior court judge in the calendar year 1986, the term of that judge is extended through ~~December 31, 1998.~~ September 30, 2000."

Requested by: Representatives Justus, Thompson, Kiser,
Senators Ballance, Rand, Cooper

ADDITIONAL DISTRICT COURT JUDGES

Sec. 22.7. (a) G.S. 7A-133(a) reads as rewritten:

"(a) Each district court district shall have the numbers of judges as set forth in the following table:

District	Judges	County
1	4	Camden
		Chowan
		Currituck
		Dare
		Gates
		Pasquotank
		Perquimans
2	3	Martin
		Beaufort
		Tyrrell
		Hyde
		Washington
3A	4	Pitt
3B	4	Craven
		Pamlico
		Carteret
4	6	Sampson
		Duplin
		Jones
		Onslow
5	6	New Hanover
		Pender
6A	2	Halifax
6B	3	Northampton
		Bertie
		Hertford
7	6	Nash
		Edgecombe
		Wilson
8	6	Wayne
		Greene
		Lenoir
9	4	Granville
		(part of Vance see subsection (b))
		Franklin
9A	2	Person
		Caswell
9B	1	Warren
		(part of Vance see subsection (b))
10	12	Wake
11	6	Harnett
		Johnston
		Lee
12	~~7~~ 8	Cumberland
13	4	Bladen
		Brunswick
		Columbus

14	5	Durham
15A	3	Alamance
15B	3	Orange
		Chatham
16A	~~2~~ 3	Scotland
		Hoke
16B	5	Robeson
17A	2	Rockingham
17B	3	Stokes
		Surry
18	11	Guilford
19A	3	Cabarrus
19B	3	Montgomery
		Randolph
19C	3	Rowan
20	7	Stanly
		Union
		Anson
		Richmond
		Moore
21	7	Forsyth
22	7	Alexander
		Davidson
		Davie
		Iredell
23	~~3~~ 4	Alleghany
		Ashe
		Wilkes
		Yadkin
24	3	Avery
		Madison
		Mitchell
		Watauga
		Yancey
25	7	Burke
		Caldwell
		Catawba
26	14	Mecklenburg
27A	5	Gaston
27B	4	Cleveland
		Lincoln
28	5	Buncombe
29	5	Henderson
		McDowell
		Polk
		Rutherford
		Transylvania

30	4	Cherokee
		Clay
		Graham
		Haywood
		Jackson
		Macon
		Swain."

(b) The Governor shall appoint additional district court judges for District Court Districts 12, 16A, and 23 as authorized by subsection (a) of this section. Those judges' successors shall be elected in the 2000 general election for a four-year term commencing on the first Monday in December 2000.

(c) Subsection (a) of this section becomes effective December 15, 1996, as to any district court district where no county is subject to section 5 of the Voting Rights Act of 1965. As to any district court district where any county is subject to section 5 of the Voting Rights Act of 1965, subsection (a) of this section becomes effective December 15, 1996, or 15 days after the date upon which that subsection is approved under Section 5 of the Voting Rights Act of 1965, whichever is later.

Requested by: Senator Conder,
Representative Morgan

DISTRICT COURT JUDGES

Sec. 22.8. (a) Section 2(b) of Chapter 589 of the 1995 Session Laws reads as rewritten:

"(b) ~~Each~~ The district court judgeship held on June 12, 1996, in District Court District 20 by a resident of Moore County (~~Michael Earle Beale and~~ Jayrene Russell Maness) is allocated to District Court District 19B. The district court judgeship held on June 12, 1996, in District Court District 20 by a resident of Moore County (Michael Earle Beale) is allocated to District Court District 20. The term of each of these judges expires December 7, 1998. A successor to each judge shall be elected in the 1998 general election."

(b) Section 2(d) of Chapter 589 of the 1995 Session Laws reads as rewritten:

"(d) The effect of subsections (a) through (c) of this section is also to add an additional district court judgeship in District Court District ~~20~~ 19B effective January 1, 1997. The Governor shall appoint a person to fill the vacancy for the remainder of the term expiring the first Monday in December of ~~2000.~~ 1998."

Requested by: Senators Ballance, Rand, Cooper,
Representatives Justus, Thompson, Kiser

MECKLENBURG DRUG COURT FUNDING

Sec. 22.9. It is the intent of the General Assembly that the Mecklenburg Drug Court program be funded as a recurring item within the continuation budget.

Requested by: Representatives Holmes, Creech, Esposito,
Justus, Thompson, Kiser,
Senators Ballance, Rand, Cooper

FUNDING FOR SUPERIOR COURT REPORTERS

Sec. 22.10. It is the intent of the General Assembly that funding for superior court reporters remain a part of the continuation budget.

Requested by: Senators Ballance, Odom, Rand, Cooper,
Representatives Justus, Thompson, Kiser

DISTRICT COURT REPORTER OPTION

Sec. 22.11. G.S. 7A–198 is amended by adding a new subsection to read:

"(g) A party to a civil trial in district court may request a private agreement from the opposing party or parties to share equally in the cost of a court reporter to be selected from a list provided by the Administrative Office of the Courts. If the opposing party does not consent to share this cost, the requesting party may nevertheless pay to have a court reporter present to record the trial and, in the event that the opposing party appeals the case, that party shall reimburse the party providing the court reporter in full for the costs incurred for the court reporter's services and transcripts.

In the event that the recording device in a civil trial conducted without a court reporter fails for any reason to provide a reasonably accurate record of the trial for purposes of appeal, then the trial judge shall grant a motion for a new trial made by a losing party whose request pursuant to this section to share the cost of a court reporter was not consented to by the opposing party."

Requested by: Senators Ballance, Rand, Cooper,
Representatives Thompson, Justus, Kiser

INDIGENT DEFENSE FUNDS

Sec. 22.12. (a) Of the funds appropriated to the Judicial Department for the 1995–96 fiscal year, the sum of one million dollars ($1,000,000) shall not revert at the end of the fiscal year but shall remain available for expenditure to cover up to one million dollars ($1,000,000) of the cost of services provided for indigent defense during the 1995–96 fiscal year.

(b) This section becomes effective June 30, 1996.

Requested by: Senators Rand, Ballance, Cooper,
Representatives Justus, Thompson, Kiser

INCREASE FEES IN CRIMINAL CASES IN THE GENERAL COURT OF JUSTICE

Sec. 22.13. (a) G.S. 7A–304(a) reads as rewritten:

"(a) In every criminal case in the superior or district court, wherein the defendant is convicted, or enters a plea of guilty or nolo contendere, or when costs are assessed against the prosecuting witness, the following costs shall be assessed and collected, except that when the judgment imposes an active prison sentence, costs shall be assessed and collected only when the judgment specifically so provides, and that no costs may be assessed when a case is dismissed.

(1) For each arrest or personal service of criminal process, including citations and subpoenas, the sum of five dollars ($5.00), to be remitted to the county wherein the arrest was made or process was served, except that in those cases in which the arrest was made or process served by a law–enforcement officer employed by a municipality, the fee shall be paid to the municipality employing the officer.

(2) For the use of the courtroom and related judicial facilities, the sum of six dollars ($6.00) in the district court, including cases before a magistrate, and the sum of twenty–four dollars ($24.00) in superior court, to be remitted to the county in which the judgment is rendered. In all cases where the judgment is rendered in facilities provided by a municipality, the facilities fee shall be paid to the

municipality. Funds derived from the facilities fees shall be used exclusively by the county or municipality for providing, maintaining, and constructing adequate courtroom and related judicial facilities, including: adequate space and furniture for judges, district attorneys, public defenders, magistrates, juries, and other court related personnel; office space, furniture and vaults for the clerk; jail and juvenile detention facilities; free parking for jurors; and a law library (including books) if one has heretofore been established or if the governing body hereafter decides to establish one. In the event the funds derived from the facilities fees exceed what is needed for these purposes, the county or municipality may, with the approval of the Administrative Officer of the Courts as to the amount, use any or all of the excess to retire outstanding indebtedness incurred in the construction of the facilities, or to reimburse the county or municipality for funds expended in constructing or renovating the facilities (without incurring any indebtedness) within a period of two years before or after the date a district court is established in such county, or to supplement the operations of the General Court of Justice in the county.

(3) For the retirement and insurance benefits of both State and local government law–enforcement officers, the sum of seven dollars and twenty–five cents ($7.25), to be remitted to the State Treasurer. Fifty cents (50¢ administered as is provided in Article 12C of Chapter 143 of the General Statutes. Five dollars and seventy–five cents ($5.75) of this sum shall be administered as is provided in Article 12E of Chapter 143 of the General Statutes, with one dollar and twenty–five cents ($1.25) being administered in accordance with the provisions of G.S. 143–166.50(e). One dollar ($1.00) of this sum shall be administered as is provided in Article 12F of Chapter 143 of the General Statutes.

(3a) For the supplemental pension benefits of sheriffs, the sum of seventy–five cents (75¢), to be remitted to the Department of Justice and administered under the provisions of Article 12G of Chapter 143 of the General Statutes.

(4) For support of the General Court of Justice, the sum of ~~forty–one dollars ($41.00)~~ forty–six dollars ($46.00) in the district court, including cases before a magistrate, and the sum of ~~forty–eight dollars ($48.00)~~ fifty–three dollars ($53.00) in the superior court, to be remitted to the State Treasurer.

(5) For using pretrial release services, the district or superior court judge shall, upon conviction, impose a fee of fifteen dollars ($15.00) to be remitted to the county providing the pretrial release services. This cost shall be assessed and collected only if the defendant had been accepted and released to the supervision of the agency providing the pretrial release services.

(6) For support of the General Court of Justice, for the issuance by the clerk of a report to the Division of Motor Vehicles pursuant to G.S. 20–24.2, the sum of fifty dollars ($50.00), to be remitted to the State Treasurer. Upon a showing to the court that the defendant failed to appear because of an error or omission of a judicial official, a prosecutor, or a law–enforcement officer, the court shall waive this fee."

(b) Subsection (a) of this section becomes effective September 1, 1996, and applies to fees assessed or paid on or after that date.

Requested by: Representatives Justus, Thompson, Grady, Kiser, Senators Ballance, Rand, Cooper

CLERK OF SUPERIOR COURT COMPENSATION STUDY

Sec. 22.14. The Administrative Office of the Courts shall study the position classification and pay plan of the Office of the Clerk of Superior Court. The study shall provide recommendations on the appropriate qualifications and compensation of deputy and assistant clerks for the proper functioning of the Office of the Clerk of Superior Court, and shall include a review of current job classes and any potential new classes. The Administrative Office of the Courts shall report the results of this study and its recommendations to the Chairs of the House and Senate Appropriations Committees and the Chairs of the House and Senate Appropriations Subcommittees on Justice and Public Safety by March 1, 1997.

PART 23. DEPARTMENT OF JUSTICE

Requested by: Representatives Justus, Thompson, Kiser, Senators Ballance, Rand, Cooper

AUTHORIZATION OF FICTITIOUS LICENSES AND REGISTRATION PLATES ON PUBLICLY OWNED MOTOR VEHICLES

Sec. 23. (a) G.S. 20–39(h) reads as rewritten:

"(h) The Commissioner, notwithstanding any other provision of this Chapter, may lawfully and to the extent necessary, provide local, State or federal law–enforcement officers on special undercover assignments with motor vehicle drivers licenses and motor vehicle registration plates under assumed names using false or fictitious addresses. Such registration plates shall only be used on publicly owned or leased vehicles. Requests for these licenses and registration plates shall be made to the Commissioner by the head of the local, State or federal law–enforcement agency and be accompanied by approval in writing from the Director of the State Bureau of Investigation upon a specific finding by the Director that the request is justified and necessary. The Director shall keep a record of all such licenses, registration plates, assumed names, false or fictitious addresses, and law–enforcement officers using the licenses or registration plates, and shall request the immediate return of any license or registration plate that is no longer necessary. Licenses and registration plates provided under this subsection shall expire six months after initial issuance or subsequent validation after the request for extension has been approved in writing by the Director of the State Bureau of Investigation. The head of the local, State or federal law–enforcement agency shall be responsible for the use of the licenses and registration plates and shall return them immediately to the Commissioner for cancellation upon either (i) their expiration, (ii) request of the Director of the State Bureau of Investigation, or (iii) request of the Commissioner. Failure to return a license or registration plates issued pursuant to this subsection shall be punished as a Class 2 misdemeanor. At no time shall the number of valid licenses and registration plates issued under this act exceed ~~fifty,~~ one hundred, and those issued shall be strictly monitored by the Director. All of the private registration plates issued to special agents of the State Bureau of Investigation under the Department of Justice and to alcohol law enforcement agents under the Department of Crime Control and Public Safety, pursuant to G.S. 14–250, may be

fictitious plates and shall not be counted in the total number of fictitious plates authorized by this subsection."

(b) The Joint Legislative Commission on Governmental Operations shall study the statutory authorization of the use of private, confidential, and fictitious license plates on State–owned motor vehicles and the administration and enforcement of the applicable statutes. The Commission shall report the results of its study to the 1997 General Assembly.

(c) Subsection (a) of this section expires June 30, 1997.

Requested by: Senators Ballance, Rand, Cooper,
Representatives Justus, Thompson, Kiser

FINGERPRINT, PHOTOGRAPH, AND RETAIN JURISDICTION OF DELINQUENT JUVENILES

Sec. 23.2. (a) Article 48 of Chapter 7A of the General Statutes is amended by adding a new section to read:

"**§ 7A–603. Fingerprinting and photographing delinquent juveniles.**

(a) A juvenile shall be fingerprinted and photographed by a law enforcement officer or agency upon adjudication of the juvenile as a delinquent pursuant to G.S. 7A–637 if the juvenile was 10 years of age or older at the time the juvenile allegedly committed an offense that would be a Class A, B, C, D, or E felony if committed by an adult. Upon adjudication, the court shall order the juvenile be fingerprinted and photographed in a proper format for transfer to the State Bureau of Investigation.

(b) Fingerprints obtained pursuant to this section shall be transferred to the State Bureau of Investigation in a format approved by the State Bureau of Investigation and placed in the Automated Fingerprint Identification System (AFIS) to be used for all investigative and comparison purposes. Photographs shall be placed in a format approved by the State Bureau of Investigation and may be used for all investigative or comparison purposes.

(c) Fingerprints and photographs taken pursuant to this section are not public records under Chapter 132 of the General Statutes, shall not be included in the clerk's record pursuant to G.S. 7A–675, shall be maintained separately from any juvenile record, shall be withheld from public inspection or examination, and shall not be eligible for expunction pursuant to G.S. 7A–676."

(b) G.S. 15A–502(c) reads as rewritten:

"(c) This section does not authorize the taking of photographs or fingerprints of a juvenile alleged to be delinquent except under G.S. 7A–596 through ~~7A–601.~~ 7A–601 and 7A–603."

(c) G.S. 7A–523 reads as rewritten:

"**§ 7A–523. Jurisdiction.**

(a) The court has exclusive, original jurisdiction over any case involving a juvenile who is alleged to be delinquent, undisciplined, abused, neglected, or dependent. This jurisdiction does not extend to cases involving adult defendants alleged to be guilty of abuse or neglect. For purposes of determining jurisdiction, with the exception of (c) below, the age of the juvenile either at the time of the alleged offense or when the conditions causing the juvenile to be abused, neglected, or dependent arose, governs. There is no minimum age for juveniles alleged to be abused, dependent or neglected. For juveniles alleged to be delinquent or undisciplined, the minimum age is six years of age.

The court also has exclusive original jurisdiction of the following proceedings:

(1) Proceedings under the Interstate Compact on Juveniles and the Interstate Parole and Probation Hearing Procedures for Juveniles;
(2) Proceedings to determine whether a juvenile who is on conditional release and under the aftercare supervision of the court counselor has violated the terms of ~~his~~ the juvenile's conditional release established by the Division of Youth Services;
(3) Proceedings involving judicial consent for emergency surgical or medical treatment for a juvenile when ~~his~~ the juvenile's parent, guardian, legal custodian, or other person standing in *loco parentis* refuses to consent for treatment to be rendered;
(4) Proceedings to determine whether a juvenile should be emancipated;
(5) Proceedings to terminate parental rights;
(6) Proceedings to review the placement of a juvenile in foster care pursuant to an agreement between the juvenile's parents or guardian and a county department of social services;
(7) Proceedings in which a person is alleged to have obstructed or interfered with an investigation required by G.S. 7A–544.
(8) Proceedings involving consent for an abortion on an unemancipated minor pursuant to Article 1A, Part 2 of Chapter 90 of the General Statutes.

(b) The court shall have jurisdiction over the parent of a juvenile who has been adjudicated delinquent, undisciplined, abused, neglected or dependent, as provided by G.S. 7A–564, provided the parent has been properly served with notice pursuant to G.S. 7A–564.

(c) When the court has not obtained jurisdiction over a juvenile before the juvenile reaches the age of eighteen, for a felony and any related misdemeanors the juvenile allegedly committed on or after the juvenile's thirteenth birthday and prior to the juvenile's sixteenth birthday, the court has jurisdiction for the sole purpose of conducting proceedings pursuant to Article 49 of this Chapter and either transferring the case to superior court for trial as an adult or dismissing the petition."

(d) G.S. 7A–524 reads as rewritten:

"**§7A–524. Retention of jurisdiction.**

When the court obtains jurisdiction over a juvenile, jurisdiction shall continue until terminated by order of the court or until ~~he~~ the juvenile reaches ~~his eighteenth birthday.~~ the age of eighteen. When delinquency proceedings cannot be concluded before the juvenile reaches the age of eighteen, the court retains jurisdiction for the sole purpose of conducting proceedings pursuant to Article 49 of this Chapter and either transferring the case to superior court for trial as an adult or dismissing the petition. Any juvenile who is under the jurisdiction of the court and commits a criminal offense after ~~his~~ the juvenile's sixteenth birthday is subject to prosecution as an adult. Any juvenile who is transferred to and sentenced by the superior court for a felony offense shall be prosecuted as an adult for all other crimes alleged to have been committed by ~~him~~ the juvenile while ~~he~~ the juvenile is under the active supervision of the superior court. Nothing herein shall be construed to divest the court of jurisdiction in abuse, neglect, or dependency proceedings."

(e) G.S. 7A–655 reads as rewritten:

"**§7A–655. Conditional release and final discharge.**

The Division of Youth Services shall release a juvenile either by conditional release or by final discharge. The decision as to which type of release is

appropriate shall be made by the Director based on the needs of the juvenile and the best interests of the State under rules and regulations governing release which shall be promulgated by the Division of Youth Services, according to the following guidelines:

(1) Conditional release is appropriate for a juvenile needing supervision after leaving the institution. As part of the prerelease planning process, the terms of conditional release shall be set out in writing and a copy given to the juvenile, ~~his~~ the juvenile's parent, the committing court, and the court counselor who will provide aftercare supervision. The time that a juvenile spends on conditional release shall be credited toward ~~his~~ the juvenile's maximum period of commitment to the Division of Youth Services.

(2) Final discharge is appropriate when the juvenile does not require supervision, has completed a maximum commitment for ~~his~~ the juvenile's offense, or is 18 years of age.

(3) Notwithstanding G.S. 7A–675, before the Division of Youth Services considers for release a juvenile who is serving a commitment for a Class A or B1 felony, the Division shall notify, at least 30 days in advance of considering the release, by first class mail at the last known address:

a. The juvenile;
b. The juvenile's parent, guardian, or custodian;
c. The district attorney of the district where the juvenile was adjudicated;
d. The head law enforcement agency that took the juvenile into custody; and
e. The victim, and any of the victim's immediate family members who have requested in writing to be notified

The notification shall include only the juvenile's name, offense, date of commitment, and date of consideration for release."

(f) Subsections (a) and (b) of this section become effective October 1, 1996, and apply to offenses committed on or after that date. Subsection (d) of this section is effective upon ratification and applies to all cases pending on that date. Subsection (e) of this section becomes effective October 1, 1996, and applies to juveniles considered for release on or after that date. The remainder of this section is effective upon ratification.

Requested by: Senators Ballance, Rand, Cooper,
Representatives Justus, Thompson, Kiser

ESTABLISH CRIMINAL JUSTICE INFORMATION NETWORK GOVERNING BOARD

Sec. 23.3. (a) Chapter 143 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 69.

"Criminal Justice Information Network Governing Board.

"**§ 143–660. Definitions.**

As used in this Article:

(1) 'Board' means the Criminal Justice Information Network Governing Board established by G.S. 143–661.

(2) 'Local government user' means a unit of local government of this State having authorized access to the Network.

(3) 'Network' means the Criminal Justice Information Network established by the Board pursuant to this Article.

(4) 'Network user' or 'user' means any person having authorized access to the Network.

(5) 'State agency' means any State department, agency, institution, board, commission, or other unit of State government.

"§ 143-661. Criminal Justice Information Network Governing Board — creation; purpose; membership; conflicts of interest.

(a) The Criminal Justice Information Network Governing Board is established within the Department of Justice, State Bureau of Investigation, to operate the State's Criminal Justice Information Network, the purpose of which shall be to provide the governmental and technical information systems infrastructure necessary for accomplishing State and local governmental public safety and justice functions in the most effective manner by appropriately and efficiently sharing criminal justice information among law enforcement, judicial, and corrections agencies. The Board is established within the Department of Justice, State Bureau of Investigation, for organizational and budgetary purposes only and the Board shall exercise all of its statutory powers in this Article independent of control by the Department of Justice.

(b) The Board shall consist of 15 members, appointed as follows:

(1) Three members appointed by the Governor, including one member who is a director or employee of a State correction agency for a term to begin September 1, 1996 and to expire on June 30, 1997, one member who is an employee of the North Carolina Department of Crime Control and Public Safety for a term beginning September 1, 1996 and to expire on June 30, 1997, and one member selected from the North Carolina Association of Chiefs of Police for a term to begin September 1, 1996 and to expire on June 30, 1999.

(2) Six members appointed by the General Assembly in accordance with G.S. 120-121, as follows:

a. Three members recommended by the President *Pro Tempore* of the Senate, including two members of the general public for terms to begin on September 1, 1996 and to expire on June 30, 1997, and one member selected from the North Carolina League of Municipalities who is a member of, or an employee working directly for, the governing board of a North Carolina municipality for a term to begin on September 1, 1996 and to expire on June 30, 1999; and

b. Three members recommended by the Speaker of the House of Representatives, including two members of the general public for terms to begin on September 1, 1996 and to expire on June 30, 1999, and one member selected from the North Carolina Association of County Commissioners who is a member of, or an employee working directly for, the governing board of a North Carolina county for a term to begin on September 1, 1996 and to expire on June 30, 1997.

(3) Two members appointed by the Attorney General, including one member who is an employee of the Attorney General for a term to begin on September 1, 1996 and to expire on June 30, 1997, and one member from the North Carolina Sheriffs' Association for a term to begin on September 1, 1996 and to expire on June 30, 1999.

(4) Two members appointed by the Chief Justice of the North Carolina Supreme Court, including the Director or an employee of the Administrative Office of the Courts for a term to begin on September 1, 1996 and to expire on June 30, 1997, and one member who is either a clerk of the superior court or a district attorney, or employee of a district attorney, for a term to begin on September 1, 1996 and to expire on June 30, 1999.

(5) One member appointed by the Chair of the Information Resource Management Commission, who is the Chair or a member of that Commission, for a term to begin on September 1, 1996 and to expire on June 30, 1999.

(6) One member appointed by the President of the North Carolina Chapter of the Association of Public Communications Officials International, who is an active member of the Association, for a term to begin on September 1, 1996 and to expire on June 30, 1999.

The respective appointing authorities are encouraged to appoint persons having a background in and familiarity with criminal information systems and networks generally and with the criminal information needs and capacities of the constituency from which the member is appointed.

As the initial terms expire, subsequent members of the Board shall be appointed to serve four-year terms. At the end of a term, a member shall continue to serve on the Board until a successor is appointed. A member who is appointed after a term is begun serves only for the remainder of the term and until a successor is appointed. Any vacancy in the membership of the Board shall be filled by the same appointing authority that made the appointment, except that vacancies among members appointed by the General Assembly shall be filled in accordance with G.S. 120-122.

(c) Members of the Board shall not be employed by or serve on the board of directors or other corporate governing body of any information systems, computer hardware, computer software, or telecommunications vendor of goods and services to the State or to any unit of local government in the State. No member of the Board shall vote on an action affecting solely the member's own State agency or local governmental unit or specific judicial office.

"**§ 143-662. Compensation and expenses of Board members; travel reimbursements.**

Members of the Board shall serve without compensation but may receive travel and subsistence as follows:

(1) Board members who are officials or employees of a State agency or unit of local government, in accordance with G.S. 138-6.

(2) All other Board members, at the rate established in G.S. 138-5.

"**§ 143-663. Powers and duties.**

(a) The Board shall have the following powers and duties:

(1) To establish and operate the Network as an integrated system of State and local government components for effectively and efficiently storing, communicating, and using criminal justice information at the State and local levels throughout North Carolina's law enforcement, judicial, and corrections agencies, with the components of the Network to include electronic devices, programs, data, and governance and to set the Network's policies and procedures.

(2) To develop and adopt uniform standards and cost-effective information technology, after thorough evaluation of the capacity of

information technology to meet the present and future needs of the State and, in consultation with the Information Resource Management Commission, to develop and adopt standards for entering, storing, and transmitting information in criminal justice databases and for achieving maximum compatibility among user technologies.

(3) To identify the funds needed to establish and maintain the Network, identify public and private sources of funding, and secure funding to:

a. Create the Network and facilitate the sharing of information among users of the Network; and

b. Make grants to local government users to enable them to acquire or improve elements of the Network that lie within the responsibility of their agencies or State agencies; provided that the elements developed with the funds must be available for use by the State or by local governments without cost and the applicable State agencies join in the request for funding.

(4) To provide assistance to local governments for the financial and systems planning for Network-related automation and to coordinate and assist the Network users of this State in soliciting bids for information technology hardware, software, and services in order to assure compliance with the Board's technical standards, to gain the most advantageous contracts for the Network users of this State, and to assure financial accountability where State funds are used.

(5) To provide a liaison among local government users and to advocate on behalf of the Network and its users in connection with legislation affecting the Network.

(6) To facilitate the sharing of knowledge about information technologies among users of the Network.

(7) To take any other appropriate actions to foster the development of the Network.

(b) All grants or other uses of funds appropriated or granted to the Board shall be conditioned on compliance with the Board's technical and other standards.

"**§ 143-664. Election of officers; meetings; staff, etc.**

(a) The Governor shall call the first meeting of the Board. At the first meeting, the Board shall elect a chair and a vice-chair, each to serve a one-year term, with subsequent officers to be elected for one-year terms. The Board shall hold at least two regular meetings each year, as provided by policies and procedures adopted by the Board. The Board may hold additional meetings upon the call of the chair or any three Board members. A majority of the Board membership constitutes a quorum.

(b) Pending permanent staffing, the Department shall provide the Board with professional and clerical staff and any additional support the Board needs to fulfill its mandate. The Board may meet in an area provided by the Department of Justice and the Board's staff shall use space provided by the Department."

(b) G.S. 143B-426.21(a) is amended by adding a new subdivision to read:

"(9) The Chair of the Criminal Justice Information Network Governing Board."

(c) The Criminal Justice Information Network Governing Board shall report by April 1, 1997, to the Chairs of the Senate and House Appropriations Committees and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety on the organization, operations, and expenditures of

the Board, including the Board's progress in developing data-sharing standards, the progress in the coordination and cooperation of State and local agencies in establishing standards, the Board's recommendations on permanent staffing needs, and the estimated time of completion of the standards. The Board shall also provide a long-term strategic plan and cost analysis for statewide implementation of the Criminal Justice Information Network as well as a report on the State and local law enforcement agencies' implementation of the mobile data network system, including the amount of funds spent on the system as of the date of the report and the long-term costs of implementing the system statewide.

(d) Of the funds appropriated in this act to the reserve for the Criminal Justice Information Network Governing Board, the sum of three hundred thousand dollars ($300,000) shall be used to fund the development of data standards for the Network and the sum of one hundred thousand dollars ($100,000) shall be used to support the operation of the Board, including staff salaries, benefits, and related expenses. Funds appropriated to the reserve for the Criminal Justice Information Network Governing Board shall not revert.

Requested by: Representatives Justus, Thompson, Kiser,
Senators Ballance, Rand, Cooper, Plexico

REPAIRS AND RENOVATIONS OF THE WESTERN JUSTICE ACADEMY

Sec. 23.4. (a) The Department of Justice, in consultation with the Office of State Construction of the Department of Administration, shall contract for and supervise all aspects of administration, technical assistance, design, construction, or demolition of facilities in order to implement the repairs and renovations of the Western Justice Academy under the provisions of this section without being subject to the following statutes and rules implementing those statutes: G.S. 143-135.26, 143-131, 143-132, 113A-1 through 113A-10, 113A-50 through 113A-66, and 133-1.1(g). The Department of Justice shall let contracts for all repairs and renovations of the Academy as soon as possible, but not later than December 1, 1996.

The Department of Justice shall have a verifiable ten percent (10%) goal for participation by minority and women-owned businesses. All contracts for the design, construction, or demolition of facilities shall include a penalty for failure to complete the work by a specified date.

(b) The Department of Justice shall provide quarterly reports to the Chairs of the Senate and House Appropriations Committees and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety, the Joint Legislative Commission on Governmental Operations, and the Fiscal Research Division on the repairs and renovations to the Western Justice Academy. The report shall include information on which contractors have been selected, what contracts have been entered into, and the projected and actual cost of the project.

(c) Of the funds allocated in this act to the Office of State Budget and Management from the Repairs and Renovations Fund, up to six million dollars ($6,000,000) may be used by the Department of Justice to implement this section.

PART 24. DEPARTMENT OF HUMAN RESOURCES

Requested by: Representatives Gardner, Hayes, Nye, Russell,
Senators Martin of Guilford, Lucas

MEDICAID

Sec. 24. Section 23.14 of Chapter 324, 1995 Session Laws, reads as rewritten:

"Sec. 23.14. (a) Funds appropriated in this act for services provided in accordance with Title XIX of the Social Security Act (Medicaid) are for both the categorically needy and the medically needy. Funds appropriated for these services shall be expended in accordance with the following schedule of services and payment bases. All services and payments are subject to the language at the end of this subsection.

Services and payment bases:

(1) Hospital–Inpatient – Payment for hospital inpatient services will be prescribed in the State Plan as established by the Department of Human Resources. Administrative days for any period of hospitalization shall be limited to a maximum of three days.

(2) Hospital–Outpatient – Eighty percent (80%) of allowable costs or a prospective reimbursement plan as established by the Department of Human Resources.

(3) Nursing Facilities – Payment for nursing facility services will be prescribed in the State Plan as established by the Department of Human Resources. Nursing facilities providing services to Medicaid recipients who also qualify for Medicare, must be enrolled in the Medicare program as a condition of participation in the Medicaid program. State facilities are not subject to the requirement to enroll in the Medicare program.

(4) Intermediate Care Facilities for the Mentally Retarded – As prescribed in the State Plan as established by the Department of Human Resources.

(5) Drugs – Drug costs as allowed by federal regulations plus a professional services fee per month excluding refills for the same drug or generic equivalent during the same month. Reimbursement shall be available for up to six prescriptions per recipient, per month, including refills. Payments for drugs are subject to the provisions of subsection (f) of this section and to the provisions at the end of subsection (a) of this section, or in accordance with the State Plan adopted by the Department of Human Resources consistent with federal reimbursement regulations. Payment of the professional services fee shall be made in accordance with the Plan adopted by the Department of Human Resources, consistent with federal reimbursement regulations. The professional services fee shall be five dollars and sixty cents ($5.60) per prescription. Adjustments to the professional services fee shall be established by the General Assembly.

(6) Physicians, Chiropractors, Podiatrists, Optometrists, Dentists, Certified Nurse Midwife Services – Fee schedules as developed by the Department of Human Resources. Payments for dental services are subject to the provisions of subsection (g) of this section.

(7) Community Alternative Program, EPSDT Screens – Payment to be made in accordance with rate schedule developed by the Department of Human Resources.

(8) Home Health and Related Services, Private Duty Nursing, Clinic Services, Prepaid Health Plans, Durable Medical Equipment – Payment to be made according to reimbursement plans developed by the Department of Human Resources.

(9) Medicare Buy–In – Social Security Administration premium.

(10) Ambulance Services – Uniform fee schedules as developed by the Department of Human Resources.
(11) Hearing Aids – Actual cost plus a dispensing fee.
(12) Rural Health Clinic Services – Provider–based – reasonable cost; nonprovider based – single cost reimbursement rate per clinic visit.
(13) Family Planning – Negotiated rate for local health departments. For other providers – see specific services, for instance, hospitals, physicians.
(14) Independent Laboratory and X–Ray Services – Uniform fee schedules as developed by the Department of Human Resources.
(15) Optical Supplies – One hundred percent (100%) of reasonable wholesale cost of materials.
(16) Ambulatory Surgical Centers – Payment as prescribed in the reimbursement plan established by the Department of Human Resources.
(17) Medicare Crossover Claims – An amount up to the actual coinsurance or deductible or both, in accordance with the Plan, as approved by the Department of Human Resources.
(18) Physical Therapy and Speech Therapy – Services limited to EPSDT eligible children. Payments are to be made only to ~~the Children's Special Health Services program~~ qualified providers at rates negotiated by the Department of Human Resources.
(19) Personal Care Services – Payment in accordance with Plan approved by the Department of Human Resources.
(20) Case Management Services – Reimbursement in accordance with the availability of funds to be transferred within the Department of Human Resources.
(21) Hospice – Services may be provided in accordance with Plan developed by the Department of Human Resources.
(22) Other Mental Health Services – Unless otherwise covered by this section, coverage is limited to agencies meeting the requirements of the rules established by the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services, and reimbursement is made in accordance with a Plan developed by the Department of Human Resources not to exceed the upper limits established in federal regulations.
(23) Medically Necessary Prosthetics or Orthotics for EPSDT Eligible Children – Reimbursement in accordance with Plan approved by the Department of Human Resources.
(24) Health Insurance Premiums – Payments to be made in accordance with the Plan adopted by the Department of Human Resources consistent with federal regulations.
(25) Medical Care/Other Remedial Care – Services not covered elsewhere in this section include related services in schools; health professional services provided outside the clinic setting to meet maternal and infant health goals; and services to meet federal EPSDT mandates. Services addressed by this paragraph are limited to those prescribed in the State Plan as established by the Department of Human Resources. Providers of these services must be certified as meeting program standards of the Department of Environment, Health, and Natural Resources.
(26) Pregnancy Related Services – Covered services for pregnant women shall include nutritional counseling, psychosocial counseling, and

predelivery and postpartum home visits by maternity care coordinators and public health nurses.

Services and payment bases may be changed with the approval of the Director of the Budget.

Reimbursement is available for up to 24 visits per recipient per year to any one or combination of the following: physicians, clinics, hospital outpatient, optometrists, chiropractors, and podiatrists. Prenatal services, all EPSDT children, and emergency rooms are exempt from the visit limitations contained in this paragraph. Exceptions may be authorized by the Department of Human Resources where the life of the patient would be threatened without such additional care. Any person who is determined by the Department to be exempt from the 24–visit limitation may also be exempt from the six–prescription limitation.

(b) Allocation of Nonfederal Cost of Medicaid. The State shall pay eighty–five percent (85%); the county shall pay fifteen percent (15%) of the nonfederal costs of all applicable services listed in this section.

(c) Copayment for Medicaid Services. The Department of Human Resources may establish copayment up to the maximum permitted by federal law and regulation.

(d) Medicaid and Aid to Families With Dependent Children Income Eligibility Standards. The maximum net family annual income eligibility standards for Medicaid and Aid to Families with Dependent Children, and the Standard of Need for Aid to Families with Dependent Children shall be as follows:

	Categorically Needy	Medically Needy	
Family Size	Standard of Need	AFDC Payment Level*	AA, AB, AD*
1	$ 4,344	$ 2,172	$ 2,900
2	5,664	2,832	3,800
3	6,528	3,264	4,400
4	7,128	3,564	4,800
5	7,776	3,888	5,200
6	8,376	4,188	5,600
7	8,952	4,476	6,000
8	9,256	4,680	6,300

*Aid to Families With Dependent Children (AFDC); Aid to the Aged (AA); Aid to the Blind (AB); and Aid to the Disabled (AD).

The payment level for Aid to Families With Dependent Children shall be fifty percent (50%) of the standard of need.

These standards may be changed with the approval of the Director of the Budget with the advice of the Advisory Budget Commission.

(e) All Elderly, Blind, and Disabled Persons who receive Supplemental Security Income are eligible for Medicaid coverage.

(f) ICF and ICF/MR Work Incentive Allowances. The Department of Human Resources may provide an incentive allowance to Medicaid–eligible recipients of ICF and ICF/MR facilities who are regularly engaged in work activities as part of their developmental plan and for whom retention of additional income contributes to their achievement of independence. The State funds required to match the federal funds that are required by these allowances shall be provided from savings within the Medicaid budget or from other unbudgeted funds available to the Department. The incentive allowances may be as follows:

Monthly Net Wages	Monthly Incentive Allowance
$1.00 to $100.99	Up to $50.00
$101.00 – $200.99	$80.00
$201.00 to $300.99	$130.00
$301.00 and greater	$212.00.

(g) Dental Coverage Limits. Dental services shall be provided on a restricted basis in accordance with rules adopted by the Department to implement this subsection.

(h) Dispensing of Generic Drugs. Notwithstanding G.S. 90–85.27 through G.S. 90–85.31, under the Medical Assistance Program (Title XIX of the Social Security Act) a prescription order for a drug designated by a trade or brand name shall be considered to be an order for the drug by its established or generic name, except when the prescriber personally indicates, either orally or in his own handwriting on the prescription order, 'dispense as written' or words of similar meaning. Generic drugs, when available in the pharmacy, shall be dispensed at a lower cost to the Medical Assistance Program rather than trade or brand name drugs, subject to the prescriber's 'dispense as written' order as noted above.

As used in this subsection 'brand name' means the proprietary name the manufacturer places upon a drug product or on its container, label, or wrapping at the time of packaging; and 'established name' has the same meaning as in section 502(e)(3) of the Federal Food, Drug, and Cosmetic Act as amended, 21 U.S.C. § 352(e)(3).

(i) Exceptions to Service Limitations, Eligibility Requirements, and Payments. Service limitations, eligibility requirements, and payments bases in this section may be waived by the Department of Human Resources, with the approval of the Director of the Budget, to allow the Department to carry out pilot programs for prepaid health plans, managed care plans, or community–based services programs in accordance with plans approved by the United States Department of Health and Human Services, or when the Department determines that such a waiver will result in a reduction in the total Medicaid costs for the recipient.

(j) Volume Purchase Plans and Single Source Procurement. The Department of Human Resources, Division of Medical Assistance, may, subject to the approval of a change in the State Medicaid Plan, contract for services, medical equipment, supplies, and appliances by implementation of volume purchase plans, single source procurement, or other similar processes in order to improve cost containment.

(k) Cost Containment Programs. The Department of Human Resources, Division of Medical Assistance, may undertake cost containment programs including preadmissions to hospitals and prior approval for certain outpatient surgeries before they may be performed in an inpatient setting.

(l) For all Medicaid eligibility classifications for which the federal poverty level is used as an income limit for eligibility determination, the income limits will be updated each April 1 immediately following publication of federal poverty guidelines.

(m) The Department of Human Resources shall provide Medicaid to 19–, 20–, and 21–year olds in accordance with federal rules and regulations.

(n) The Department of Human Resources shall provide coverage to pregnant women and to children according to the following schedule:

(1) Pregnant women with incomes equal to or less than one hundred eighty–five percent (185%) of the federal poverty guidelines as revised each April 1 shall be covered for Medicaid ~~benefits;~~ benefits.

(2) Infants under the age of 1 with family incomes equal to or less than one hundred eighty–five percent (185%) of the federal poverty guidelines as revised each April 1 shall be covered for Medicaid ~~benefits;~~ benefits.

(3) Children aged 1 through 5 with family incomes equal to or less than one hundred thirty–three percent (133%) of the federal poverty guidelines as revised each April 1 shall be covered for Medicaid ~~benefits;~~ benefits.

(4) Children aged 6 through 18 with family incomes equal to or less than the federal poverty guidelines as revised each April 1 shall be covered for Medicaid benefits. ~~Services to pregnant women eligible under this section continue throughout the pregnancy but include only those related to pregnancy and to those other conditions determined by the Department as conditions that may complicate pregnancy. In order to reduce county administrative costs and to expedite the provision of medical services to pregnant women, to infants, and to children eligible under this section, no resources test shall be applied; and~~

(5) The Department of Human Resources shall provide Medicaid coverage for adoptive children with special or rehabilitative needs regardless of the adoptive family's income.

Services to pregnant women eligible under this subsection continue throughout the pregnancy but include only those related to pregnancy and to those other conditions determined by the Department as conditions that may complicate pregnancy. In order to reduce county administrative costs and to expedite the provision of medical services to pregnant women, to infants, and to children described in subdivisions (3) and (4) of this subsection, no resources test shall be applied.

(o) The Department of Human Resources may use Medicaid funds budgeted from program services to support the cost of administrative activities to the extent that these administrative activities produce a net savings in services requirements. Administrative initiatives funded by this section shall be first approved by the Office of State Budget and Management.

(p) The Department of Human Resources shall submit a monthly status report on expenditures for acute care and long–term care services to the Fiscal Research Division and to the Office of State Budget and Management. This report shall include an analysis of budgeted versus actual expenditures for eligibles by category and for long–term care beds. In addition, the Department shall revise the program's projected spending for the current fiscal year and the estimated spending for the subsequent fiscal year on a quarterly basis. Reports for the preceding month shall be forwarded to the Fiscal Research Division and to the Office of State Budget and Management no later than the third Thursday of the month.

(q) The Division of Medical Assistance, Department of Human Resources, may provide incentives to counties that successfully recover fraudulently spent Medicaid funds by sharing State savings with counties responsible for the recovery of the fraudulently spent funds.

(r) If first approved by the Office of State Budget and Management, the Division of Medical Assistance, Department of Human Resources, may use funds that are identified to support the cost of development and acquisition of equipment and software through contractual means to improve and enhance information systems that provide management information and claims processing.

(s) The Division of Medical Assistance, Department of Human Resources, may administer Medicaid estate recovery mandated by the Omnibus Budget Reconciliation Act of 1993, (OBRA 1993), 42 U.S.C. § 1396p(b), and G.S. 108–70.5 using temporary rules pending approval of final rules promulgated pursuant to Chapter 150B of the General Statutes.

(t) The Department of Human Resources may adopt temporary rules according to the procedures established in G.S. 150B–21.1 when it finds that such rules are necessary to maximize receipt of federal funds, to reduce Medicaid expenditures, and to reduce fraud and abuse."

Requested by: Representatives Gardner, Hayes,
Senator Martin of Guilford

NONMEDICAID REIMBURSEMENT CHANGES

Sec. 24.1. Section 23.16 of Chapter 324 of the 1995 Session Laws, as amended by Section 23.5 of Chapter 507, 1995 Session Laws, reads as rewritten:

"Providers of medical services under the various State programs, other than Medicaid, offering medical care to citizens of the State shall be reimbursed at rates no more than those under the North Carolina Medical Assistance Program. Hospitals that provide psychiatric inpatient care for Thomas S. class members or adults with mental retardation and mental illness may be paid an additional incentive payment not to exceed fifteen percent (15%) of their regular daily *per diem* reimbursement.

The Department of Human Resources may reimburse hospitals at the full prospective *per diem* rates without regard to the Medical Assistance Program's annual limits on hospital days. When the Medical Assistance Program's *per diem* rates for inpatient services and its interim rates for outpatient services are used to reimburse providers in non–Medicaid medical service programs, retroactive adjustments to claims already paid shall not be required.

Notwithstanding the provisions of paragraph one, the Department of Human Resources may negotiate with providers of medical services under the various Department of Human Resources programs, other than Medicaid, for rates as close as possible to Medicaid rates for the following purposes: contracts or agreements for medical services and purchases of medical equipment and other medical supplies. These negotiated rates are allowable only to meet the medical needs of its non–Medicaid eligible patients, residents, and clients who require such services which cannot be provided when limited to the Medicaid rate.

Maximum net family annual income eligibility standards for services in these programs shall be as follows:

Family Size	Medical Eye Care Adults	All Rehabilitation	Other
1	$ 4,860	$ 8,364	$ 4,200
2	5,940	10,944	5,300
3	6,204	13,500	6,400
4	7,284	16,092	7,500
5	7,824	18,648	7,900
6	8,220	21,228	8,300
7	8,772	21,708	8,800
8	9,312	22,220	9,300

The eligibility level for children in the Medical Eye Care Program in the Division of Services for the Blind and for adults in the ~~Clozaril~~ Atypical Antipsychotic Medication Program in the Division of Mental Health, Developmental Disabilities,

and Substance Abuse Services shall be one hundred percent (100%) of the federal poverty guidelines, as revised annually by the United States Department of Health and Human Services and in effect on July 1 of each fiscal year. Additionally, those adults enrolled in the ~~Clozaril~~ Atypical Antipsychotic Medication Program who become gainfully employed may continue to be eligible to receive State support, in decreasing amounts, for the purchase of ~~Clozaril~~ atypical antipsychotic medication and related services up to three hundred percent (300%) of the poverty level.

State financial participation in the ~~Clozaril~~ Atypical Antipsychotic Medication Program for those enrollees who become gainfully employed is as follows:

Income (% of poverty)	State Participation	Client Participation
0–100%	100%	0%
101–120%	95%	5%
121–140%	85%	15%
141–160%	75%	25%
161–180%	65%	35%
~~191–180%~~	~~65%~~	~~35%~~
181–200%	55%	45%
201–220%	45%	55%
221–240%	35%	65%
241–260%	25%	75%
261–280%	15%	85%
281–300%	5%	95%
301%–over	0%	100%.

The Department of Human Resources shall contract at, or as close as possible to, Medicaid rates for medical services provided to residents of State facilities of the Department."

Requested by: Representatives Gardner, Nye, Russell,
Senators Martin of Guilford, Lucas

MEDICAID SUBROGATION CHANGE/LRC STUDY

Sec. 24.2. (a) G.S. 108A–57 reads as rewritten:

"**§ 108A–57. Subrogation rights; withholding of information a misdemeanor.**

(a) Notwithstanding any other provisions of the law, to the extent of payments under this Part, the State, or the county providing medical assistance benefits, shall be subrogated to all rights of recovery, contractual or otherwise, of the beneficiary of ~~such~~ this assistance, or of ~~his~~ the beneficiary's personal representative, ~~his~~ heirs, or the administrator or executor of ~~his~~ the estate, against any person. ~~It shall be the responsibility of the~~ The county ~~attorney~~ attorney, or an attorney retained by the county ~~and/or~~ or the State or both, or an attorney retained by the beneficiary of the assistance if ~~such~~ this attorney has actual notice of payments made under this Part ~~to~~ shall enforce this ~~section, and said attorney shall be compensated for his services in accordance with the attorneys' fee arrangements approved by the Department; provided, however that any attorney retained by the beneficiary of the assistance shall be compensated for his services in accordance with the following schedule and in the following order of priority from any amount obtained on behalf of the beneficiary by settlement with, judgment against, or otherwise from a third party by reason of such injury or death:~~ section. Any attorney retained by the beneficiary of the assistance shall, out of the proceeds obtained on behalf of the beneficiary by settlement with, judgment against, or otherwise from a third

party by reason of injury or death, distribute to the Department the amount of assistance paid by the Department on behalf of or to the beneficiary, as prorated with the claims of all others having medical subrogation rights or medical liens against the amount received or recovered, but the amount paid to the Department shall not exceed one-third of the gross amount obtained or recovered.

~~(1) First to the payment of any court costs taxed by the judgment;~~

~~(2) Second to the payment of the fee of the attorney representing the beneficiary making the settlement or obtaining the judgment, but this fee shall not exceed one-third of the amount obtained or recovered to which the right of subrogation applies;~~

~~(3) Third to the payment of the amount of assistance received by the beneficiary as prorated with other claims against the amount obtained or received from the third party to which the right of subrogation applies, but the amount shall not exceed one-third of the amount obtained or recovered to which the right of subrogation applies; and~~

~~(4) Fourth to the payment of any amount remaining to the beneficiary or his personal representative.~~

The United States and the State of North Carolina shall be entitled to shares in each net recovery under this section. Their shares shall be promptly paid under this section and their proportionate parts of such sum shall be determined in accordance with the matching formulas in use during the period for which assistance was paid to the recipient.

(b) It ~~shall be~~ is a Class 1 misdemeanor for any person seeking or having obtained assistance under this Part for himself or another to willfully fail to disclose to the county department of social services or its attorney the identity of any person or organization against whom the recipient of assistance has a right of recovery, contractual or otherwise."

(b) The Legislative Research Commission may study issues relating to the Medicaid subrogation statute, G.S. 108A-57, including State compliance with federal law as it relates to recovery of Medicaid expenditures, the appropriate amount of attorneys' fees and costs, if any, the State should pay for recovery of Medicaid expenditures, and the appropriate amount, if any, that should be guaranteed to the client for whom the underlying action is brought.

(c) The Legislative Research Commission may report the results of its study, along with any legislative proposals and costs analyses, to the 1997 General Assembly.

(d) This section becomes effective as of the effective date of this act and applies to claims filed on or after August 15, 1995.

Requested by: Representatives Gardner, Hayes,
Senator Martin of Guilford

THOMAS S.

Sec. 24.4. Section 23.21 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 23.21. (a) Funds appropriated to the Department of Human Resources in this act for the 1995-96 fiscal year and the 1996-97 fiscal year for members of the Thomas S. Class as identified in Thomas S., et al. v. Britt, formerly Thomas S., et al. v. Flaherty, shall be expended only for programs serving Thomas S. Class members or for services for those clients who are:

(1) Adults with mental retardation, or who have been treated as if they

had mental retardation, who were admitted to a State psychiatric hospital on or after March 22, 1984, and who are included on the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services' official list of prospective Class members;

(2) Adults with mental retardation who have a documented history of State psychiatric hospital admissions regardless of admission date and who, without funding support, have a good probability of being readmitted to a State psychiatric hospital;

(3) Adults with mental retardation who have never been admitted to a State psychiatric hospital but who have a documented history of behavior determined to be of danger to self or others that results in referrals for inpatient psychiatric treatment and who, without funding support, have a good probability of being admitted to a State psychiatric hospital; or

(4) Adults who are included on the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services' official list of prospective Class members and have yet to be confirmed as Class members, who currently reside in the community, and who have a good probability of being admitted to a facility licensed as a 'home for the aged and disabled'.

No more than five percent (5%) of the funds appropriated in this act for the Thomas S. program shall be used for clients meeting subdivisions (2), (3), or (4) of this subsection.

(b) To ensure that Thomas S. Class members are appropriately served, no State funds shall be expended on placement and services for Thomas S. Class members except:

(1) Funds specifically appropriated by the General Assembly for the placement and services of Thomas S. Class members; and

(2) Funds for placement and services for which Thomas S. Class members are otherwise eligible.

(b1) Thomas S. funds may be expended to support services for Thomas S. Class members in adult care homes when the service needs of individual Class members in these homes cannot be met via the established maximum adult care home rate.

(c) The Department of Human Resources shall continue to implement a prospective unit cost reimbursement system and shall ensure that unit cost rates reflect reasonable costs by conducting cost center service type rate comparisons and cost center line item budget reviews as may be necessary.

(d) Reporting requirements. The Department of Human Resources shall submit by April 1 of each fiscal year a report to the General Assembly on the progress achieved in serving members and prospective members of the Thomas S. Class. The report shall include the following:

(1) The number of Thomas S. clients confirmed as Class members;

~~(2) The number of prospective Class members evaluated;~~

~~(3) The number of prospective Class members awaiting evaluation;~~

(3a) The number of individuals identified as prospective Class members;

(4) The number of Class members or prospective Class members added in the preceding 12 months due to their admission to a State psychiatric hospital;

(5) A description of the types of treatment services provided to Class members; and

(6) An analysis of the use of funds appropriated for the Class.

(e) Notwithstanding any other provision of law, if the Department of Human Resources determines that a local program is not providing minimally adequate services to members of the Class identified in Thomas S., et al. v. Britt, formerly Thomas S., et al. v. Flaherty, or does not show a willingness to do so, the Department may ensure the provision of these services through contracts with public or private agencies or by direct operation by the Department of these programs."

Requested by: Representatives Holmes, Creech, Esposito,
Senator Martin of Guilford

THOMAS S. FUNDS

Sec. 24.4A. If Thomas S. funds are not sufficient, then notwithstanding G.S. 143–16.3 and G.S. 143–23, the Director of the Budget may use funds available to the Department in an amount not to exceed twelve million eight hundred thousand dollars ($12,800,000).

Requested by: Representatives Gardner, Hayes, Nye, Russell,
Senators Martin of Guilford, Lucas

EXTENSION OF TASK FORCE TO DETERMINE A MINIMUM REIMBURSEMENT RATE FOR ADULT DEVELOPMENTAL ACTIVITY PROGRAMS (ADAP)

Sec. 24.5. Section 1 of Chapter 481 of the 1995 Session Laws reads as rewritten:

"Section 1. The Secretary of the Department of Human Resources shall establish in the Office of the Secretary a special task force to determine a minimum reimbursement rate for Adult Developmental Activity Programs (ADAP). In addition, this task force shall review the current funding stream to ensure that it is the most effective way possible to provide day services to adults with developmental disabilities, including which division within the Department is most appropriate for this program. The task force shall report to the ~~Mental Health Study Commission~~ Legislative Study Commission on Mental Health, Developmental Disabilities, and Substance Abuse Services the results of its study in time for these results to be included in the Commission's report to the ~~1995 General Assembly, Regular Session 1996.~~ 1997 General Assembly. The task force shall terminate after the presentation of its report to the Commission.

At a minimum, the task force shall consist of:

(1) Two representatives from community rehabilitation programs;
(2) A representative from the Department of Human Resources;
(3) A representative from the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services;
(4) A representative from the Division of Vocational Rehabilitation; and
(5) A representative from the Association for Retarded Citizens.

This task force shall be funded by funds available to the Department."

Requested by: Representatives Gardner, Hayes,
Senator Martin of Guilford

CONSOLIDATION OF JOHN UMSTEAD HOSPITAL AND THE ADATC–BUTNER OPERATING FUND

Sec. 24.6. As the administrative and programmatic functions of John Umstead Hospital and the ADATC–Butner (Alcohol and Drug Abuse Treatment Center at Butner) have been consolidated in an effort to streamline administrative costs, the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services may consolidate the operating budget of these two institutions.

Requested by: Representatives Gardner, Hayes,
Senator Martin of Guilford

IMPROVEMENT OF OPERATING EFFICIENCIES IN COLLOCATED INSTITUTIONS

Sec. 24.7. The Department of Human Resources' collocated institutions shall create operating efficiencies in support functions through increased service coordination across facilities. The Department shall ensure that annual savings in salary and supplies of at least one hundred thousand dollars ($100,000) are achieved in the 1996–97 fiscal year and in every fiscal year thereafter. These institutions' managers shall be included in the process and in the determination of the methods for achieving the required savings.

Requested by: Representatives Gardner, Hayes, Alexander, Nye, Russell,
Senators Martin of Guilford, Lucas, Winner

LEGISLATIVE STUDY COMMISSION ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES

Sec. 24.8. (a) Chapter 120 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 23.

"The Legislative Study Commission on Mental Health, Developmental Disabilities, and Substance Abuse Services.

"**§ 120-204. Commission created; purpose.**

There is established in the General Assembly a Legislative Study Commission on Mental Health, Developmental Disabilities, and Substance Abuse Services. This commission shall study systemwide issues affecting the development, administration, and delivery of mental health, developmental disabilities, and substance abuse services, including issues relating to the governance, accountability, and quality of services delivered.

"**§ 120-205. Commission membership; meetings; terms; vacancies.**

(a) This commission shall be composed of 21 members appointed as follows:

(1) Seven members of the House of Representatives at the time of their appointment, appointed by the Speaker of the House of Representatives. Of these members, one shall be a Chair of the House Appropriations Subcommittee on Human Resources;

(2) Seven members of the Senate at the time of their appointment, appointed by the President *Pro Tempore* of the Senate. Of these members, one shall be the Chair of the Senate Human Resources Appropriations Committee;

(3) Three members who are representatives of Coalition 2001, appointed by the Governor. Of these members, one shall be a representative from mental health, one from developmental disabilities, and one from substance abuse services;

(4) Two members of the public, appointed by the Speaker of the House of Representatives. Of these members, one shall be a county commissioner at the time of appointment, selected from a list of four candidates nominated by the North Carolina Association of County Commissioners. If the Association has failed to submit nominations by September 1, 1996, the Speaker of the House of Representatives may appoint any county commissioner; and

(5) Two members of the public, appointed by the President *Pro Tempore* of the Senate. Of these members, one shall be a county commissioner at the time of appointment, selected from a list of four candidates

nominated by the North Carolina Association of County Commissioners. If the Association has failed to submit nominations by September 1, 1996, the President *Pro Tempore* of the Senate may appoint any county commissioner.

(b) The Speaker of the House of Representatives and the President *Pro Tempore* of the Senate shall each select a legislative member from their appointments to serve as cochair of the commission. Meetings shall be called at the will of the cochairs.

(c) All members shall serve at the will of their appointing officer. Unless removed or unless resigning, members shall serve for two-year terms. Members may be reappointed. Vacancies in membership shall be filled by the appropriate appointing officer.

"**§ 120-206. Powers; *per diem*, subsistence, and travel allowances.**

(a) The commission may contract for consulting services as provided by G.S. 120-32.02. Upon approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional and clerical staff to assist in the work of the commission. The professional staff shall include the appropriate staff from the Fiscal Research, Research, and Legislative Drafting Divisions of the Legislative Services Office of the General Assembly. Clerical staff shall be furnished to the commission through the offices of the House of Representatives and Senate Supervisors of Clerks. The expenses of employment of the clerical staff shall be borne by the commission. The commission may meet in the Legislative Building or the Legislative Office Building upon the approval of the Legislative Services Commission. The commission, while in the discharge of official duties, may exercise all powers provided under the provisions of G.S. 120-19 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and departments of the State to provide any information and any data within their possession or ascertainable from their records, and the power to subpoena witnesses.

(b) Members of the commission shall receive *per diem*, subsistence, and travel allowances as follows:

(1) Commission members who are members of the General Assembly, at the rate established in G.S. 120-3.1;

(2) Commission members who are officials or employees of the State or of local government agencies, at the rate established in G.S. 138-6; and

(3) All other commission members, at the rate established in G.S. 138-5.

"**§ 120-207. Reporting.**

The commission shall report the results of its study, together with any legislative proposals and costs analyses, to every regular session of the General Assembly within a week of its convening."

(b) Part XIII, Sections 13.1 through 13.4 of Chapter 542 of the 1995 Session Laws, is repealed.

Requested by: Representatives Gardner, Hayes,
Senator Martin of Guilford

AREA MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES PROGRAMS REDUCTIONS/SPECIFICATIONS

Sec. 24.9. The Division of Mental Health, Developmental Disabilities, and Substance Abuse Services shall ensure that reductions in its State appropriations for the 1996-97 fiscal year that are allocated to area mental health, developmental disabilities, and substance abuse programs are applied by the area authorities only to

those services and programs in which additional increased federal TITLE IVA–Emergency Assistance and Medicaid revenues are anticipated.

Requested by: Senators Martin of Guilford, Lucas,
Representatives Gardner, Hayes, Russell, Nye

CAROLINA ALTERNATIVES EXPANSION LIMITS

Sec. 24.10. The Department of Human Resources shall move forward with planning, readiness assessments, and other necessary activities to be able to expand the Carolina Alternatives Child and Adult Waiver Pilot Program. Prior to actual implementation of additional covered populations, during fiscal year 1996–97, the Department shall:

(1) Receive approval from the Health Care Financing Administration;
(2) Make a determination that each area authority that is going to participate in the pilot has the capacity to implement the waiver;
(3) Obtain certification from the Office of State Budget and Management that expansion of Carolina Alternatives is budget neutral, excluding the payment of claims related to the transition from fee–for–service to Medicaid managed care, and authorization from the Office of State Budget and Management to proceed with the pilot;
(4) Evaluate capitation rates to determine if they are adequate to provide appropriate services;
(5) Develop five–year cost estimates for Carolina Alternatives;
(6) Prepare a summary of the number, nature, and resolution of complaints concerning Carolina Alternatives received by the local area authorities during 1996; and
(7) Submit a report to the 1997 General Assembly and the Fiscal Research Division on subdivisions (3) through (6) of this section.

Requested by: Representatives Gardner, Hayes,
Senator Martin of Guilford

CLINICAL SOCIAL WORKER EXEMPTION

Sec. 24.11. Section 8 of Chapter 732 of the 1991 Session Laws reads as rewritten:

"Sec. 8. This act becomes effective January 1, 1992. G.S. 90B–10(b)(3)a. is repealed effective January 1, ~~1997.~~ 1999. The term of the additional Board position for clinical social worker created by this act shall commence upon the expiration of the term of the public member whose term expires first."

Requested by: Representatives Gardner, Hayes,
Senator Martin of Guilford

FOSTER CARE REPORTING REPEALED

Sec. 24.12. Section 23.22 of Chapter 324 of the 1995 Session Laws is repealed.

Requested by: Representatives Holmes, Creech, Esposito, Gardner, Hayes,
Senator Martin of Guilford

CHILD SUPPORT RESERVE SHALL NOT REVERT

Sec. 24.13. (a) Any funds appropriated to the Reserve for Child Support Legislation for the 1995–96 fiscal year but not expended as of June 30, 1996, shall not revert but shall remain available for the 1996–97 fiscal year to implement the provisions contained in Chapter 538 of the 1995 Session Laws.

(b) This section is effective June 30, 1996.

Requested by: Representatives Gardner, Hayes, Nye, Russell,
Senators Martin of Guilford, Lucas

AFDC EMERGENCY ASSISTANCE RULES CLARIFIED

Sec. 24.14. The Social Services Commission shall ensure that Aid to Families With Dependent Children Emergency Assistance (AFDC–EA) cash is provided only to those with verifiable emergencies by:

(1) Ensuring that the applicant produce documented verification of the emergency for which AFDC–EA cash is requested; except that where it is unreasonable or not feasible to obtain written verification, such verification can be achieved through telephonic or other reliable means of communication; and

(2) Ensuring that the verified emergency is one that would threaten the health, safety, or well–being of the child or children in the care or custody of the applicant.

Requested by: Representatives Gardner, Hayes, Nye, Russell,
Senators Martin of Guilford, Lucas

REVIEW OF AUTOMATED COLLECTION AND TRACKING SYSTEM

Sec. 24.15. The Information Resource Management Commission shall conduct a quarterly review of the Automated Collection and Tracking System (ACTS) project being developed by the Department of Human Resources. The review shall include an analysis of the problems encountered and progress achieved, identify critical issues to be resolved, and estimate the final cost and date of completion. The review shall be submitted through the Office of the State Controller to the chairs of the House and Senate Appropriations committees, the chairs of the House and Senate Human Resources Appropriations subcommittees, and to the Director of the Fiscal Research Division of the Legislative Services Office of the General Assembly no later than the last day of each quarter.

Requested by: Senators Martin of Guilford, Lucas,
Representatives Gardner, Nye, Russell

CLARIFICATION OF AUTHORIZED ADDITIONAL USE OF HIV FOSTER CARE AND ADOPTIVE FAMILY FUNDS

Sec. 24.16. Section 23.9 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 23.9. In addition to providing board payments to foster and adoptive families of HIV–infected children as prescribed in Chapter 324 of the 1995 Session Laws, any additional funds remaining that were appropriated in Chapter 324 of the 1995 Session Laws for this purpose shall be used as follows:

(1) To provide medical training in avoiding HIV transmission in the home; and

(2) To transfer funds to the Department of Environment, Health, and Natural Resources to create three social work positions within the Department of Environment, Health, and Natural Resources, for the eastern part of North Carolina to enable the case–managing of families with HIV–infected children so that the children and the parents get access to medical care and so that child protective services issues are addressed rapidly and effectively. The three positions shall be medically based and located:

a. One in the northeast, covering Northampton, Hertford, Halifax, Gates, Chowan, Perquimans, Pasquotank, Camden, Currituck, Bertie, Wilson, Edgecombe, and Nash Counties;

b. One in the central east, covering Martin, Pitt, Washington, Tyrrell, Dare, Hyde, Beaufort, Jones, Greene, Craven, and Pamlico Counties; and
c. One in the southeast, covering New Hanover, Robeson, Brunswick, Carteret, Onslow, Lenoir, Pender, Duplin, Bladen, and Columbus Counties."

Requested by: Representatives Gardner, Hayes,
Senators Martin of Guilford, Hartsell

EXTEND CABARRUS COUNTY AFDC AND FOOD STAMP WORKFARE PILOT PROGRAM

Sec. 24.16A. Chapter 368 of the 1995 Session Laws reads as rewritten:

"Section 1. Notwithstanding any law to the contrary, the Department of Human Resources shall designate Cabarrus County as a pilot county for the purpose of conducting a demonstration Workfare Program for certain Aid to Families with Dependent Children (AFDC) and Food Stamp recipients. Immediately upon the ratification of this act, the Department shall seek all federal waivers necessary to allow this demonstration program. To the extent that this act or the program established pursuant to it conflicts with any State law, the program supersedes that law.

Sec. 2. (a) The Cabarrus County demonstration Workfare Program for certain AFDC and Food Stamp recipients shall:

(1) Provide job opportunities to all able–bodied AFDC and Food Stamp recipients who:
a. Are not eligible for the JOBS program;
b. Are between the ages of 18 and 64;
c. Are not caring for a child under one year of age;
d. Are working less than 30 hours per week; and
e. Are not full–time high school students or the equivalent;
(2) Create job opportunities in the public, the private, nonprofit, and the private, for–profit sector, primarily in the human services areas by allowing Cabarrus County to use grant diversions, consisting of the AFDC benefits and the cash value of Food Stamps that would be paid to otherwise eligible recipients to match employer funds, to subsidize the employment of these recipients. Human service area jobs will meet such socially necessary needs as day care work, nursing home aide work, and in–home aide work;
(3) Allow wages paid to these recipients, which contain grant–diverted funds, to be exempt from income for purposes of determining eligibility for assistance;
(4) Structure payment of wages to these recipients such that they will be considered income, in order to make recipients eligible for the federal earned income tax credit;
(5) Create work experience opportunities in the private sector more realistically to reflect the world of work;
(6) Require these recipients to participate in the development of an opportunity contract, outlining the responsibilities of the recipient and agency, as well as the incentives for compliance and the sanctions for noncompliance;
(7) Require all these recipients who participate in the program to pursue and accept employment, full or part time, subsidized or unsubsidized,

as a condition for continued eligibility for AFDC and Food Stamp assistance;

(8) Require job search training of all participants;

(9) Require monitored job search of all participants until employment is found or until other work activities of up to 40 hours per week are in place;

(10) Provide child care by allowing Cabarrus County to use grant diversions, consisting of the Family Support Act child day care subsidies that would be paid to otherwise eligible recipients, and transportation as required;

(11) Create a positive work incentive by providing wage incentives to participants who are in compliance with the program, equal to the first thirty dollars ($30.00) and one–third of the remainder of monthly gross income for a period of up to two years;

(12) Provide enhanced Food Stamp benefits after participants are employed and are in program compliance by using the thirty dollar ($30.00) and one–third of the remainder wage incentive as an income exemption;

(13) Provide time–limited sanctions, or withholding of benefits for the adult members of the household of all AFDC and Food Stamp benefits for noncompliance, beginning with the first sanction period equal to the time necessary to come into compliance, second sanction period — four months, third and subsequent sanctions — eight months; and

(14) Provide automatic Medicaid coverage for children and pregnant adults of sanctioned families by transferring the children administratively to the Medicaid for Indigent Children (MIC) Program and by transferring the pregnant adults administratively to the Medicaid for Pregnant Women (MPW) Program.

(b) An adjunct program to the demonstration program prescribed in subsection (a) of this section shall:

(1) Require AFDC recipients who are mandated JOBS participants to pursue and accept employment, full or part time, subsidized or unsubsidized, as part of their job plan. The maximum number of hours delegated to job activities, including employment, shall be 40 hours per week. AFDC recipients who are JOBS eligible and who are caring for children under five years of age shall, in this program, not be limited to 20 hours per week;

(2) Require AFDC recipients who are potential JOBS participants to engage in job search until either employment is found or they become JOBS eligible; and

(3) Ensure that sanctions for noncompliance and provision of Medicaid coverage shall be as provided in subdivisions (13) and (14) of subsection (a) of this section.

Sec. 3. This act shall be funded by Cabarrus County using the grant diversions and administrative transfers prescribed in Section 2 of this act, together with federal and State administrative funding allocated to Cabarrus County for the public assistance and JOBS programs.

Sec. 4. The Department of Human Resources shall evaluate the Cabarrus County Demonstration Project and report to the General Assembly on or before ~~March 1, 1997.~~ May 1, 1998.

Sec. 5. This act becomes effective July 1, 1995 and shall expire on ~~July 1, 1997.~~ January 1, 1999."

Requested by: Representatives Gardner, Hayes,
Senator Martin of Guilford

MEDICAL DATA PROCESSING FUNDS

Sec. 24.16B. The sum of one hundred fifty thousand dollars ($150,000) for the 1996–97 fiscal year is transferred from the Insurance Regulatory Fund established pursuant to G.S. 58–6–25 to the Division of Facility Services, Department of Human Resources, to certify statewide data processors pursuant to Article 11A of Chapter 131E of the General Statutes, to purchase data from statewide data processors, and to process and analyze the data.

Requested by: Representatives Gardner, Hayes,
Senator Martin of Guilford

RURAL COMMUNITY AND MIGRANT HEALTH CENTERS' PARTICIPATION IN STATE CONTRACT PURCHASING

Sec. 24.17. G.S. 143–49(6) reads as rewritten:

"(6) To make available to nonprofit corporations operating charitable hospitals, to local nonprofit community sheltered workshops or centers that meet standards established by the Division of Vocational Rehabilitation of the Department of Human Resources, to private nonprofit agencies licensed or approved by the Department of Human Resources as child placing ~~agencies or~~ agencies, residential child–care facilities, private nonprofit rural, community, and migrant health centers designated by the Office of Rural Health and Resource Development, and to counties, cities, towns, governmental entities and other subdivisions of the State and public agencies thereof in the expenditure of public funds, the services of the Department of Administration in the purchase of materials, supplies and equipment under such rules, regulations and procedures as the Secretary of Administration may adopt. In adopting rules and regulations any or all provisions of this Article may be made applicable to such purchases and contracts made through the Department of Administration, and in addition the rules and regulations shall contain a requirement that payment for all such purchases be made in accordance with the terms of the contract. Prior to adopting rules and regulations under this subdivision, the Secretary of Administration may consult with the Advisory Budget Commission."

Requested by: Representatives Gardner, Hayes, Nye, Russell,
Senators Martin of Guilford, Lucas

REDUCE DHR FUNDS IN ANTICIPATION OF RECEIPT OF FEDERAL FUNDS

Sec. 24.18. Section 23 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 23. (a) Funds appropriated to the Department of Human Resources for the 1995–96 fiscal year have been reduced by fourteen million thirteen thousand three hundred ninety–six dollars ($14,013,396) in anticipation of the receipt of federal funds from the Title IV A – Emergency Assistance Program and the Social Services Block Grant. If these federal funds are not received or if only a portion of these funds are received, notwithstanding ~~G.S. 143–15.3,~~ G.S. 143–23, the Director of the Budget may use funds available to the Department, not to exceed fourteen million thirteen thousand three hundred ninety–six dollars ~~($14,013,393).~~

($14,013,396). The Director of the Budget shall report to the Joint Legislative Commission on Governmental Operations prior to any such transfer.

(b) Funds appropriated to the Department of Human Resources for the 1996–97 fiscal year have been reduced by fifteen million two hundred fifty–two thousand two hundred ninety–two dollars ($15,252,292) in anticipation of the receipt of federal funds from the Title IV A – Emergency Assistance Program. If these federal funds are not received or if only a portion of these funds are received, notwithstanding G.S. 143–23, the Director of the Budget may use funds available to the Department, not to exceed fifteen million two hundred fifty–two thousand two hundred ninety–two dollars ($15,252,292). The Director of the Budget shall report to the Joint Legislative Commission on Governmental Operations prior to any such transfer.

(c) Funds appropriated for the biennium for the Social Services Block Grant were reduced for local departments of social services for the 1995–96 fiscal year and for the 1996–97 fiscal year in anticipation of the receipt of federal funds from the Title IV A – Emergency Assistance Program. If these reductions are not made up with federal funds received in the 1996–97 fiscal year or if only a portion of these funds are received, notwithstanding G.S. 143–23, the Director of the Budget may use funds available, not to exceed twelve million one hundred fifty thousand dollars ($12,150,000) to make up the reductions for local departments of social services. The Director of the Budget shall report to the Joint Legislative Commission on Governmental Operations prior to any such transfer."

Requested by: Representatives Gardner, Hayes,
Senator Martin of Guilford

DHR RESOURCE STUDIES EXTENDED

Sec. 24.19. Section 23.6B of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 23.6B. The Department shall study the following two issues and shall report these two issues, together with any recommendations, to the ~~1995 General Assembly, Regular Session 1996, within one week of convening:~~ General Assembly by December 1, 1996:

(1) The average staff vacancy rate by division over the last five fiscal years, to determine its effect on lapsed salaries; and

(2) An analysis of unbudgeted revenues in excess of revenues in the certified budget as amended by the General Assembly received by the Department in the last two fiscal years, including:
   a. Indirect cost receipts; and
   b. Prior year earned revenue."

Requested by: Representatives Gardner, Hayes, Nye, Russell,
Senators Martin of Guilford, Lucas

PLAN FOR REORGANIZATION OF THE DEPARTMENT OF HUMAN RESOURCES

Sec. 24.20. (a) The General Assembly intends to reorganize the Department of Human Resources, in consultation with the Office of State Budget and Management and the Department of Human Resources, to provide an alternative and improved approach to the organization and delivery of human services in North Carolina.

(b) There is established the Independent Study Commission on the Reorganization of the Department of Human Resources.

(c) The Commission shall be composed of 16 members, 15 voting and one nonvoting, as follows:

(1) Five members of the House of Representatives at the time of their appointment, two appointed by the Speaker of the House of Representatives, one other a chair of the House Appropriations Subcommittee on Human Resources, one other a member of the House Appropriations Subcommittee on Human Resources, and one other the House of Representatives chair or other member of the Subcommittee on Human Resources of the Joint Legislative Commission on Governmental Operations;

(2) Five members of the Senate at the time of their appointment, two appointed by the President *Pro Tempore* of the Senate, one other the chair of the Senate Appropriations Subcommittee on Human Resources, one other a member of the Senate Appropriations Subcommittee on Human Resources, and one other the Senate chair or other member of the Subcommittee on Human Resources of the Joint Legislative Commission on Governmental Operations;

(3) Five public members appointed by the Governor, including one who shall be a county commissioner at the time of appointment, selected from a list of four candidates nominated by the North Carolina Association of County Commissioners; and

(4) The Secretary of the Department of Human Resources or a designee, who shall be a nonvoting member.

(d) The Speaker of the House of Representatives and the President *Pro Tempore* of the Senate shall each select a legislative member from their respective chambers to serve as cochair of the Commission.

(e) The Commission, while in the discharge of official duties, may exercise all the powers provided for under the provisions of G.S. 120–19 and G.S. 120–19.1 through G.S. 120–19.4. The Commission may meet at any time upon the joint call of the cochairs. The Commission may meet in the Legislative Building or the Legislative Office Building.

(f) Members of the Commission shall receive subsistence and travel expenses at the rates set forth in G.S. 120–3.1 or Chapter 138 of the General Statutes, as appropriate.

(g) The Commission may contract for professional, clerical, or consultant services as provided by G.S. 120–32.02. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional and clerical staff to staff the Commission. The House of Representatives' and the Senate's Supervisors of Clerks shall assign clerical staff to the Commission or committee, upon the direction of the Legislative Services Commission. The expenses relating to professional and clerical employees supplied through the Legislative Services Commission shall be borne by the Legislative Services Commission.

Notwithstanding any Legislative Services Office policy to the contrary, the Commission may meet during the 1997 Session of the General Assembly, and legislative staff may serve the Commission during this session.

(h) When a vacancy occurs in the membership of the Commission, the vacancy shall be filled by the same appointing officer who made the initial appointment.

(i) All State departments and agencies and local governments and their subdivisions shall furnish the Commission with any information in their possession or available to them.

(j) The Commission shall contract with an independent management consulting firm to develop a reorganization plan, including an implementation component. Because time is of the essence, if the Commission is not appointed by August 15, 1996, the Division of Fiscal Research may begin the contracting process, including the development of Requests for Proposals. The Division shall consult with the Office of State Budget and Management and the Department of Human Resources in this process.

(k) The contract shall provide that the plan shall be designed to meet the following goals:

(1) The achievement of family–centered services;
(2) The identification of gaps in services across special needs groups;
(3) The improvement of access to and the reduction of fragmentation of services and programs;
(4) The enhancement of accountability;
(5) The provision of leadership at the State level for local government; and
(6) The definition of and delineation between State and local roles and responsibilities.

(l) The contract shall provide that the plan propose an organizational structure designed around the following guiding principles:

(1) The facilitation of a holistic approach to the delivery of services and programs;
(2) The provision of a core set of programs and services common to all special needs groups;
(3) The effective delivery of programs and services, including:
a. Coordinated planning;
b. Evaluation of results;
c. Independent regulatory and licensing functions;
d. Centralized administrative support; and
(4) The inclusion of consideration of funding sources in decision making regarding programs and services.

(m) The Commission shall provide any additional contract specifications and directions it considers necessary.

(n) The independent management consultant that is awarded the contract shall report to the Commission as the Commission considers appropriate and shall submit a final report to the Commission by March 1, 1997. While conducting its work, the independent management consultant shall devise a means of obtaining confidential input from managerial and nonmanagerial human services personnel, such as through the establishment of a confidential, temporary hotline.

(o) The Commission shall report its findings and recommendations, including any legislative proposals, to the General Assembly by April 1, 1997, at which time the Commission shall terminate.

(p) Of the funds appropriated to the Department of Human Resources, the sum of five hundred thousand dollars ($500,000) is transferred to the General Assembly to implement this section, including to fund the contract required.

Requested by: Representatives Gardner, Hayes,
Senator Martin of Guilford

DHR REPORT ON PLANS FOR IMPLEMENTING DYS COMPREHENSIVE STUDY RECOMMENDATIONS

Sec. 24.21. The Department of Human Resources shall report to the Joint Legislative Commission on Governmental Operations by October 1, 1996, on

its plans for implementing the recommendations of the Comprehensive Study of the Division of Youth Services.

Requested by: Senators Martin of Guilford, Lucas,
Representatives Gardner, Nye, Russell

STUDY COURT-ORDERED COUNTY PAYMENT OF JUVENILE TREATMENT

Sec. 24.21A. (a) The Division of Youth Services, Department of Human Resources, and the Administrative Office of the Courts shall study county payment of the cost of medical, surgical, psychiatric, psychological, or other treatment of juveniles ordered pursuant to G.S. 7A–647 when the parents are not able to pay the cost of treatment. The study shall provide recommendations on the feasibility and desirability of allowing the counties to present evidence of their financial status in each case and of requiring the State to pay the cost of treatment of juveniles in counties that are not able to pay the cost of treatment.

(b) The Division of Youth Services and the Administrative Office of the Courts shall report the results of this study and its recommendations to the Chairs of the House and Senate Appropriations Committees and the Chairs of the House and Senate Appropriations Subcommittees on the Department of Human Resources and on Justice and Public Safety by December 1, 1996.

Requested by: Representatives Gardner, Hayes, Nye, Russell,
Senators Martin of Guilford, Lucas

S.O.S. AND FAMILY RESOURCE CENTER GRANT PROGRAMS ADMINISTRATIVE COST LIMITS

Sec. 24.22. Section 23.6 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 23.6. (a) Of the funds appropriated to the Department of Human Resources in this act, the Department may use up to a total of three hundred fifty thousand dollars ($350,000) each fiscal year of the biennium to administer the S.O.S. Program, to provide technical assistance to applicants and to local S.O.S. programs, and to evaluate the local S.O.S. programs. The Department may contract with appropriate public or nonprofit agencies to provide the technical assistance, including training and related services.

(b) Of the funds appropriated in this act to the Department of Human Resources for the Family Resource Center Grant Program, the Department may use up to three hundred thousand dollars ($300,000) ~~each fiscal year of the biennium~~ for the 1995–96 fiscal year and two hundred fifty thousand dollars ($250,000) for the 1996–97 fiscal year to administer the Program."

Requested by: Representatives Gardner, Hayes, Nye, Russell,
Senators Martin of Guilford, Lucas

OFFICE OF ECONOMIC OPPORTUNITY, SUPPORT OUR STUDENTS PROGRAMS' LOCATION

Sec. 24.23. The Department of Human Resources shall ensure that the Office of Economic Opportunity remains in the Office of the Secretary and that the Support Our Students Program remains in the Division of Youth Services.

Requested by: Representatives Russell, Pate, Pulley, Sherrill, Gardner, Nye,
Senators Martin of Guilford, Lucas

DHR POSITION ELIMINATION SPECIFICATIONS

Sec. 24.24. (a) The Department of Human Resources shall ensure that the elimination of positions, other than those that are mental health institutionally

based, in the 1996–97 fiscal year, targeted by the Department, as referenced in the Current Operations Appropriations Act of 1996, or in the Conference Report incorporated into the Act, be effected as follows:

(1) All vacant positions targeted for elimination shall be eliminated effective July 1, 1996; and

(2) All filled positions targeted for elimination shall be eliminated effective November 1, 1996, except for filled positions targeted for elimination in the Office of the Controller, which positions shall be eliminated on or before December 31, 1996.

The Department of Human Resources shall not eliminate any position prescribed by this subsection that it targeted but that was not referenced as eliminated in the Current Operations Appropriations Act of 1996 or in the Conference Report incorporated into the Act. In order to comply with State Personnel Commission policy and in order to protect filled positions, the Department may substitute vacant positions or filled positions other than mental health institutionally based filled critical positions whose incumbents volunteer for discontinued service allowance for filled positions targeted for elimination.

(b) The Department of Human Resources shall further ensure that the elimination of the 130.5 mental health institutionally based positions be effected according to the following priority:

(1) First, from vacant, noncritical positions, which positions shall be eliminated effective July 1, 1996;

(2) Then, from vacant, critical positions, which positions shall be eliminated effective July 1, 1996; and

(3) Then, from filled, noncritical positions, which positions shall be eliminated effective November 1, 1996.

The Department shall not eliminate any mental health institutionally based filled critical positions. For purposes of this section, a critical position is one that provides or is engaged in direct contact with clients on an ongoing basis and a noncritical position is any other position.

Requested by: Representatives Gardner, Hayes, Howard, Berry, Senator Martin of Guilford

FOOD STAMP ELECTRONIC BENEFITS TRANSFER FUNDS SPECIFICATION

Sec. 24.25. Funds appropriated to the Controller's Office, Department of Human Resources, for the Food Stamp Electronic Benefits Transfer Program (EBT) shall remain in the Controller's Office and shall not be transferred to any other office or division within the Department.

The Controller's Office, Department of Human Resources, may proceed with statewide implementation of the Food Stamp EBT Program.

Requested by: Representatives Gardner, Hayes, Nye, Russell, Senators Martin of Guilford, Cochrane, Lucas

IN–HOME AIDE FUNDS

Sec. 24.26. Section 23.11D of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 23.11D. Of the funds appropriated to the Division of Aging, Department of Human Resources, in this act, the sum of five hundred thousand dollars ($500,000) for the 1995–96 fiscal year and the sum of ~~five hundred thousand dollars ($500,000)~~ five million five hundred thousand dollars ($5,500,000) for the 1996–97 fiscal year shall be allocated via the Home and Community Care Block Grant ~~and used to fund in–home aide services and caregiver support services.~~ for

home and community care services for older persons who are not eligible for Medicaid and who are on the waiting list for these services. These funds shall be used only for direct services. Service recipients shall pay for services based on their income in accordance with G.S. 143B-181.1(a)(10)."

Requested by: Representatives Gardner, Hayes, Nye, Russell,
Senators Martin of Guilford, Lucas

ADULT CARE HOME REIMBURSEMENT RATE/ADULT CARE HOME ALLOCATION OF NONFEDERAL COST OF MEDICAID PAYMENTS

Sec. 24.26A. (a) Section 23.10 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 23.10. (a) Effective July 1, 1995, the maximum monthly rate for residents in adult care home facilities shall be nine hundred seventy-five dollars ($975.00) per month for ambulatory residents and one thousand seventeen dollars ($1,017) per month for semiambulatory residents.

(b) Effective August 1, 1995, the maximum monthly rate for residents in adult care home facilities shall be eight hundred forty-four dollars ($844.00) per month per resident.

(c) Effective August 1, 1995, the Department of Human Resources may use the remaining funds available from the State/County Special Assistance appropriation to provide:

(1) Needed Medicaid-covered services, specifically one hour of personal care services per day to all Medicaid-eligible residents and a maximum of 50 additional hours per month of personal care services for residents who require heavy care;

(2) Funds to the area mental health authorities to provide wraparound services for adult home care residents with mental health conditions;

(3) Funds for the implementation of the provisions of G.S. 131D-4.1 and G.S. 131D-4.2, including funds for necessary additional staff.

(d) The eligibility of Special Assistance recipients residing in adult care homes on August 1, 1995, shall not be affected by an income reduction in the Special Assistance eligibility criteria resulting from adoption of the Rate Setting Methodology Report and Related Services, providing these recipients are otherwise eligible.

(e) Effective August 1, 1995, the State shall pay fifty percent (50%) and the county shall pay fifty percent (50%) of the nonfederal costs of Medicaid services paid to adult care home facilities. As Medicaid personal care requirements increase, the county matching share shall be capped until it equals fifteen percent (15%) of the nonfederal Medicaid personal care requirements.

(f) To maximize Medicaid funding, the Department of Human Resources may take the temporary measures necessary to implement Medicaid funding during the period from August 1, 1995, through September 30, 1995. This authorization includes authorization to continue payment of State/County Assistance at the July 1995 rates until the Health Care Financing Administration approval of Medicaid personal care services with future recoupment from providers of an amount equal to the difference between the July 1995 rates and the August 1995 rates.

(g) Effective July 1, 1996, the maximum monthly rate for residents in adult care home facilities shall be eight hundred seventy-four dollars ($874.00) per month per resident."

(b) The Aging Study Commission shall study the issue of adult care home reimbursement rates, including the issue of staff incentive grants, and the issue of

mandatory staff/resident ratios and shall report the results of this study, together with any recommendations, in its report to the 1997 General Assembly.

Requested by: Senators Martin of Guilford, Lucas,
Representatives Gardner, Hayes, Nye, Russell

FIRE PROTECTION REVOLVING LOAN FUND

Sec. 24.26B. (a) Chapter 122A of the General Statutes is amended by adding a new section to read:

"**§ 122A-5.13. Adult Care Home, Group Home, and Nursing Home Fire Protection Fund authorized; authority.**

(a) The North Carolina Housing Finance Agency shall establish an Adult Care Home, Group Home, and Nursing Home Fire Protection Fund (hereinafter 'Fire Protection Fund') to assist owners of adult care homes, group homes for developmentally disabled adults, and nursing homes with the purchase and installation of fire protection systems in existing and new adult care homes, group homes for developmentally disabled adults, and nursing homes. The Fire Protection Fund shall be a revolving fund.

(b) The Agency, in consultation with the Department of Human Resources, shall adopt rules for the management and use of the Fire Protection Fund. These rules at a minimum shall provide for the following:

(1) Financial incentives for owners of facilities who utilize Fire Protection Fund monies to install sprinkler systems instead of smoke detection equipment.

(2) Maximum loan amounts of one dollar and seventy-five cents ($1.75) per square foot for advanced smoke detectors and digital communication equipment, three dollars and seventy-five cents ($3.75) per square foot for residential sprinkler systems, and six dollars ($6.00) per square foot for institutional sprinkler systems.

(3) Interest rates from three percent (3%) to six percent (6%) for a period not to exceed 20 years for sprinkler systems and 10 years for smoke detection systems.

(4) Documentary verification that owners of facilities obtain fire protection systems at a reasonable cost.

(5) Acceleration of a loan when statutory fire protection requirements are not met by the facility for which the loan was made.

(6) Loan approval priority criteria that considers the frailty level of residents at a facility.

(7) Loan origination and servicing fees."

(b) Proceeds from the Fire Protection Fund created in this act may be used to provide staff support to the North Carolina Housing Finance Agency for loan processing and to the Department of Human Resources for review and approval of fire protection plans and inspection of fire protection systems.

(c) The North Carolina Housing Finance Agency shall, by October 1, 1996, adopt temporary rules to implement this section.

(d) Of the funds appropriated to the Department of Human Resources in this act, the sum of one million dollars ($1,000,000) shall be transferred to the North Carolina Housing Finance Agency to fund the Fire Protection Fund.

Requested by: Representatives Gardner, Nye, Russell, Shubert,
Senators Martin of Guilford, Lucas

CHILD DAY CARE SUBSIDIES

Sec. 24.26C. (a) The maximum gross annual income for initial eligibility,

adjusted biennially, for subsidized child care services shall be seventy–five percent (75%) of the State median income, adjusted for family size.

(b) Parents who receive child care subsidy to work, look for work, attend work–related training or education activities, or meet the special developmental needs of their child, shall share in the cost of child care. No fees shall be charged to the client when child day care services are provided to the individuals in the following circumstances:

(1) When children are receiving day care services in conjunction with protective services as described in 10 NCAC 35E.0106, up to a maximum of 12 months from the time protective services are initiated;

(2) When day care services are provided as a support to a child receiving Child Welfare Services as described in the North Carolina Division of Social Services Family Services Manual, Volume 1, Chapter II; or

(3) When a child with no income is living with someone other than the child's biological or adoptive parent or is living with someone who does not have court–ordered financial responsibility.

(c) The amount of the fees charged to the client shall be in accordance with the fee determination process and established schedules adopted by the Social Services Commission and published by the Division of Child Development. Fees shall be established based on a percent of gross family income and adjusted for family size. Fees shall be determined as follows:

FAMILY SIZE	PERCENT OF GROSS FAMILY INCOME
1–3	9%
4–5	8%
6 or more	7%

Local departments of social services shall apply this new fee schedule to recipients at the next eligibility review on or after the effective date of this section.

(d) The monthly schedule of payments for the purchase of child day care services for low–income children from providers who have fifty percent (50%) or more children receiving child care subsidized with State or federal funds include:

(1) Provision of payment rates for child care that are tied to the provider's regulatory status as follows:

a. Registered homes and "A" licensed centers receive the market rate or the rate they charge their full fee–paying parents, whichever is lower;

b. "AA" licensed centers receive one hundred ten percent (110%) of the market rate or the rate they charge their full fee–paying parents, whichever is lower; and

c. Unregistered providers receive fifty percent (50%) of the market rate or the rate they charge their full fee–paying parents, whichever is lower.

(2) Provision of payment rates for child care providers in counties who do not have at least 75 children in each age group for center–based and home–based care as follows:

a. Payment rates shall be set at the statewide market rate for registered homes and "A" licensed centers.

b. If it can be demonstrated that the application of the statewide market rate to a county with fewer than 75 children in each age group is lower than the county market rate and would inhibit the ability of the county to purchase child care for low–income children, then the county market rate may be applied.

(e) Payment rates described in subdivision (1) of subsection (d) of this section shall be applied to all licensed child care centers, including Head Start, that have fifty percent (50%) or more of enrolled children receiving child care subsidies, and to registered family child care homes and unregulated providers that enroll subsidized children.

(f) The Department may seek the necessary waivers to extend the Family Support Act Transitional Child Care to two–year coverage in order to maximize federal funds.

(g) This section becomes effective September 1, 1996.

Requested by: Representatives Gardner, Nye, Russell,
Senators Martin of Guilford, Lucas

ALLOCATION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE EXPANSION FUNDS

Sec. 24.27. Of the funds appropriated in this act to the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, Department of Human Resources, for expansion of mental health, developmental disabilities, and substance abuse programs and services, other than crisis services, those funds needed by area authorities for "catch–up" purposes shall be allocated pursuant to the Incentive Method adopted by the Mental Health Study Commission and presented in the Commission's Report to the 1996 General Assembly. The Department, in conjunction with all stakeholders, and in consultation with the Legislative Study Commission on Mental Health, Developmental Disabilities, and Substance Abuse Services, shall work together to develop a needs–based approach for the allocation of future expansion funds. The Department shall report on the recommended approach to the 1997 General Assembly by March 1, 1997.

Requested by: Representatives Gardner, Hayes, Nye, Russell,
Senators Martin of Guilford, Lucas

CONSIDERATION OF PRIVATIZATION OF RICHMOND COUNTY BOUNDOVER DETENTION FACILITY

Sec. 24.28. The Department of Human Resources may solicit bids to determine whether privatization of the operation of the Richmond County Boundover Unit, designed to serve a small but special population of juveniles being held for trial in superior court as adults, would result in savings to the State. If the Department considers that it is in the best interest of the State to do so, the Department may proceed with the privatization.

If the Department does proceed with the privatization, the Department shall request that the contractor give priority employment opportunity to the State employees in the current filled 15 positions scheduled to be reassigned to Richmond from the Pitt Detention Center.

Requested by: Representatives Gardner, Hayes, Nye, Russell,
Senators Martin of Guilford, Lucas, Cooper

EARLY CHILDHOOD INITIATIVES

Sec. 24.29. (a) Notwithstanding any provision of Part 10B of Article 3 of Chapter 143B of the General Statutes or any other provision of law or policy, including Part 27A of Chapter 324 of the 1995 Session Laws, the Department of Human Resources and the North Carolina Partnership for Children, Inc., jointly shall ensure that all of the recommendations contained in the State of North Carolina Smart Start Performance Audit, prepared pursuant to Section 27A(1)b. of Chapter 324 of the 1995 Session Laws, are implemented by July 1, 1997, together

with any specific modification to any recommendations made in this subsection or elsewhere in this section. The Partnership shall report quarterly to the Joint Legislative Commission on Governmental Operations on its progress towards full implementation. The Department shall report to the Commission by February 1, 1997, on any changes that must be made to Part 10B of Article 3 of Chapter 143B of the General Statutes or to any other statutes or rules to make the implementation of the Smart Start Performance Audit recommendations a permanent part of the law.

The Early Childhood Education and Development Initiatives Program shall not be continued or expanded after the 1996–97 fiscal year until the 1997 General Assembly determines, after consideration of the reports submitted to the Joint Legislative Commission on Governmental Operations prescribed by this section, that the Program, both at the State and local levels, is operating as efficiently as possible and is producing the results for which it was established.

The following recommendations of the Smart Start Performance Audit are modified as follows:

(1) The recommended administrative start–up cost allowance allowed for local partnerships shall apply only in the first year each partnership provides direct services;

(2) The recommended determination as to whether local partnerships' contractors that receive $25,000 or more have complied with financial audit requirements shall be made by the Partnership rather than the State Auditor; and

(3) The recommendation that the Director of the Division of Child Development be an *ex officio* member of the Partnership shall not be implemented.

The following shall be studied by the Department and by the Partnership and presented, together with any recommended changes, to the Joint Legislative Commission on Governmental Operations by February 1, 1997:

(1) Regionalization of the local partnerships, specifically, development of a plan to regionalize the local partnerships, including incentives for regionalization of existing local partnerships as well as for newly applying partnerships;

(2) The administrative cost formulas referenced in the Smart Start Performance Audit;

(3) The definition of in–kind contributions and the matching requirements referenced in the Smart Start Performance Audit; and

(4) Transportation.

(b) G.S. 143B–168.12(a) reads as rewritten:

"(a) In order to receive State funds, the following conditions shall be met:

(1) ~~Members of the Board of Directors shall consist~~ The North Carolina Partnership shall have a Board of Directors consisting of the following 39 members:

a. The Secretary of Human Resources, *ex officio*;

b. The Secretary of Environment, Health, and Natural Resources, *ex officio*;

c. The Superintendent of Public Instruction, *ex officio*;

d. The President of the Department of Community Colleges, *ex officio*;

e. One resident from each of the 1st, 3rd, 5th, 7th, 9th, and 11th Congressional Districts, appointed by the President *Pro Tempore* of the Senate;

f. One resident from each of the 2nd, 4th, 6th, 8th, 10th, and 12th Congressional Districts, appointed by the Speaker of the House of Representatives;
g. Seventeen members, of whom four shall be members of the party other than the Governor's party, appointed by the Governor;
h. The President *Pro Tempore* of the Senate, or a designee;
i. The Speaker of the House of Representatives, or a designee;
j. The Majority Leader of the Senate, or a designee;
k. The Majority Leader of the House of Representatives, or a designee;
l. The Minority Leader of the Senate, or a designee; and
m. The Minority Leader of the House of Representatives, or a designee.

(2) The North Carolina Partnership shall agree to adopt procedures for its operations that are comparable to those of Article 33C of Chapter 143 of the General Statutes, the Open Meetings Law, and Chapter 132 of the General Statutes, the Public Records Law, and provide for enforcement by the Department.

(3) The North Carolina Partnership shall oversee the development and implementation of the local demonstration projects as they are selected.

(4) The North Carolina Partnership shall develop and implement a comprehensive standard fiscal accountability plan to ensure the fiscal integrity and accountability of State funds appropriated to it and to the local partnerships. The standard fiscal accountability plan shall, at a minimum, include a uniform, standardized system of accounting, internal controls, payroll, fidelity bonding, chart of accounts, and contract management and monitoring. The North Carolina Partnership may contract with outside firms to develop and implement the standard fiscal accountability plan. All local partnerships shall be required to participate in the standard fiscal accountability plan developed and adopted by the North Carolina Partnership pursuant to this subdivision.

(5) The North Carolina Partnership shall develop and implement a centralized accounting and contract management system which incorporates features of the required standard fiscal accountability plan described in subdivision (4) of subsection (a) of this section. The following local partnerships shall be required to participate in the centralized accountability system developed by the North Carolina Partnership pursuant to this subdivision:

a. Local partnerships which have significant deficiencies in their accounting systems, internal controls, and contract management systems, as determined by the North Carolina Partnership based on the annual financial audits of the local partnerships conducted by the Office of the State Auditor; and
b. Local partnerships which are in the first two years of operation following their selection. At the end of this two-year period, local partnerships shall continue to participate in the centralized accounting and contract management system. With the approval of the North Carolina Partnership, local partnerships may perform accounting and contract management functions at the local level using the standardized and uniform accounting system,

internal controls, and contract management systems developed by the North Carolina Partnership.

Local partnerships which otherwise would not be required to participate in the centralized accounting and contract management system pursuant to this subdivision may voluntarily choose to participate in the system. Participation or nonparticipation shall be for a minimum of two years, unless, in the event of nonparticipation, the North Carolina Partnership determines that any partnership's annual financial audit reveals serious deficiencies in accounting or contract management.

(6) The North Carolina Partnership shall develop a formula for allocating direct services funds appropriated for this purpose to local partnerships.

(7) The North Carolina Partnership may adjust its allocations on the basis of local partnerships' performance assessments. In determining whether to adjust its allocations to local partnerships, the North Carolina Partnership shall consider whether the local partnerships are meeting the outcome goals and objectives of the North Carolina Partnership and the goals and objectives set forth by the local partnerships in their approved annual program plans.

The North Carolina Partnership may use additional factors to determine whether to adjust the local partnerships' allocations. These additional factors shall be developed with input from the local partnerships and shall be communicated to the local partnerships when the additional factors are selected. These additional factors may include board involvement, family and community outreach, collaboration among public and private service agencies, and family involvement.

On the basis of performance assessments, local partnerships annually shall be rated 'superior', 'satisfactory', or 'needs improvement'. Local partnerships rated 'superior' shall receive, to the extent that funds are available, a ten percent (10%) increase in their annual funding allocation. Local partnerships rated 'satisfactory' shall receive their annual funding allocation. Local partnerships rated 'needs improvement' shall receive ninety percent (90%) of their annual funding allocation.

The North Carolina Partnership may contract with outside firms to conduct the performance assessments of local partnerships.

(8) The North Carolina Partnership shall establish a local partnership advisory committee comprised of 15 members. Eight of the members shall be chairs of local partnerships' board of directors, and seven shall be staff of local partnerships. Members shall be chosen by the Chair of the North Carolina Partnership from a pool of candidates nominated by their respective boards of directors. The local partnership advisory committee shall serve in an advisory capacity to the North Carolina Partnership and shall establish a schedule of regular meetings. Members shall serve two-year terms and may not serve more than two consecutive terms. Members shall be chosen from local partnerships on a rotating basis. The advisory committee shall annually elect a chair from among its members.

(9) The North Carolina Partnership shall report (i) quarterly to the Joint Legislative Commission on Governmental Operations and (ii) to the General Assembly and the Governor on the ongoing progress of all the local partnerships' work, including all details of the use to which

the allocations were put, and on the continuing plans of the North Carolina Partnership and of the Department, together with legislative proposals, including proposals to implement the program statewide."

(c) G.S. 143B–168.13(a) reads as rewritten:

"(a) The Department shall:

(1) Develop a statewide process, in cooperation with the North Carolina Partnership, to select the local demonstration projects. The first 12 local demonstration projects developed and implemented shall be located in the 12 congressional districts, one to a district. The locations of subsequent selections of local demonstration projects shall represent the various geographic areas of the State.

(2) ~~Develop, in cooperation with the North Carolina Partnership,~~ Develop and conduct a statewide needs and resource assessment ~~for each county. Of the funds appropriated to it to implement this Part, the Department may make available funds to each county for one year to an appropriate private nonprofit entity or to the county to perform this assessment.~~ every third year, beginning in the 1997–98 fiscal year. This needs assessment shall be conducted in cooperation with the North Carolina Partnership and with the local partnerships. The data and findings of this needs assessment shall form the basis for annual program plans developed by local partnerships and approved by the North Carolina Partnership.

(3) Provide technical and administrative assistance to local partnerships, particularly during the first year after they are selected under this Part to receive State funds. The Department, at any time, may authorize the North Carolina Partnership or a governmental or public entity to do the contracting for one or more local partnerships. After a local partnership's first year, the Department may allow the partnership to contract for itself.

(4) Adopt, in cooperation with the North Carolina Partnership, any rules necessary to implement this ~~Part, including rules to ensure that no State funds or local funds used to supplant these State funds shall be used for personnel sick leave and annual leave benefits not allowed to State employees.~~ Part, including rules to ensure that State leave policy is not applied to the North Carolina Partnership and the local partnerships. In order to allow local partnerships to focus on the development of long–range plans in their initial year of funding, the Department may adopt rules that limit the categories of direct services for young children and their families for which funds are made available during the initial year.

~~(5) Report (i) quarterly to the Joint Legislative Commission on Governmental Operations and (ii) to the General Assembly and the Governor by April 1, 1994, and by March 1, 1995, on the ongoing results of all the local demonstration projects' work, including all details of the use to which the allocations were put, and on the continuing plans of the North Carolina Partnership and of the Department, together with legislative proposals, including proposals to implement the program statewide.~~

(6) Annually update its funding formula using the most recent data available. These amounts shall serve as the basis for determining 'full funding' amounts for each local partnership."

(d) (1) G.S. 143B–168.14(a) reads as rewritten:

"(a) In order to receive State funds, the following conditions shall be met:

(1) Each local demonstration project shall be coordinated by a new local partnership responsible for developing a comprehensive, collaborative, long–range plan of services to children and families in the service–delivery area. The board of directors of each local partnership shall consist of members including representatives of public and private nonprofit health and human service agencies, day care providers, the business community, foundations, county and municipal governments, local education units, and families. The Department, in cooperation with the North Carolina Partnership, may specify in its requests for applications the local agencies that shall be represented on a local board of directors. No existing local, private, nonprofit 501(c)(3) organization, other than one established on or after July 1, 1993, and that meets the guidelines for local partnerships as established under this Part, shall be eligible to apply to serve as the local partnership for the purpose of this Part.

(2) Each local partnership shall agree to adopt procedures for its operations that are comparable to those of Article 33C of Chapter 143 of the General Statutes, the Open Meetings Law, and Chapter 132 of the General Statutes, the Public Records Law, and provide for enforcement by the Department.

(3) Each local partnership shall adopt procedures to ensure that all personnel who provide services to young children and their families under this Part know and understand their responsibility to report suspected child abuse, neglect, or dependency, as defined in G.S. 7A–517.

(4) Each local partnership shall participate in the uniform, standard fiscal accountability plan developed and adopted by the North Carolina Partnership."

(2) Local partnerships shall be in compliance with this subsection effective July 1, 1997.

(e) G.S. 143B–168.15 reads as rewritten:

"**§ 143B–168.15. Use of State funds.**

(a) State funds allocated to local projects for services to children and families shall be used to meet assessed needs, expand coverage, and improve the quality of these services. The local plan shall address the assessed needs of all children to the extent feasible. It is the intent of the General Assembly that the needs of both young children below poverty who remain in the home, as well as the needs of young children below poverty who require services beyond those offered in child care settings, be addressed. Therefore, as local partnerships address the assessed needs of all children, they should devote an appropriate amount of their State allocations, considering these needs and other available resources, to meet the needs of children below poverty and their families.

(b) Depending on local, regional, or statewide needs, funds may be used to support activities and services that shall be made available and accessible to providers, children, and families on a voluntary basis. Of the funds allocated to local partnerships that are designated by the Secretary for direct services, seventy–five percent (75%) shall be used for any one or more of the following activities and services:

(1) Child day care services, including:
   a. Child day care subsidies to reduce waiting lists;
   b. Raising the county child day care subsidy rate to the State market rate, if applicable, in return for improvements in the quality of child day care services;
   c. Raising the income eligibility for child day care subsidies to seventy–five percent (75%) of the State median family income;
   d. Start–up funding for child day care providers;
   e. Assistance to enable child day care providers to conform to licensing and building code requirements;
   f. Child day care resources and referral services;
   g. Enhancement of the quality of child day care provided;
   h. Technical assistance for child day care providers;
   i. Quality grants for child day care centers or family child day care homes;
   j. Expanded services or enhanced rates for children with special needs;
   k. Head Start services;
   l. Development of comprehensive child day care services that include child health and family support;
   m. Activities to reduce staff turnover;
   n. Activities to serve children with special needs;
   o. Transportation services related to providing child day care services;
   p. Evaluation of plan implementation of child day care services; and
   q. Needs and resources assessments for child day care services.

(2) Family– and child–centered services, including early childhood education and child development services, including:
   a. Enhancement of the quality of family– and child–centered services provided;
   b. Technical assistance for family– and child–centered services;
   c. Needs and resource assessments for family– and child–centered services;
   d. Home–centered services; and
   e. Evaluation of plan implementation of family– and child–centered services.

(3) Other appropriate activities and services for child day care providers and for family– and child–centered services, including:
   a. Staff and organizational development, leadership and administrative development, technology assisted education, and long–range planning; and
   b. Procedures to ensure that infants and young children receive needed health, immunization, and related services.

(c) Long–term plans for local projects that do not receive their full allocation in the first year, other than those selected in 1993, should consider how to meet the assessed needs of low–income children and families within their neighborhoods or communities. These plans also should reflect a process to meet these needs as additional allocations and other resources are received.

(d) State funds designated ~~by the Secretary~~ for start–up and related activities may be used for capital expenses or to support activities and services for children, families, and providers. State funds designated ~~by the Secretary~~ to support ~~activities and~~ direct services for children, families, and providers shall not be used for major capital expenses unless the ~~Secretary~~ North Carolina Partnership

approves this use of State funds based upon a finding that a local partnership has demonstrated that (i) this use is a clear priority need for the local plan, (ii) it is necessary to enable the local partnership to provide services and activities to underserved children and families, and (iii) the local partnership will not otherwise be able to meet this priority need by using State or federal funds available to that ~~county.~~ local partnership. The funds approved for capital projects in any two consecutive fiscal years may not exceed ten percent (10%) of the total funds for direct services allocated to a local partnership in those two consecutive fiscal years.

(e) State funds allocated to local partnerships shall not supplant current expenditures by counties on behalf of young children and their families, and maintenance of current efforts on behalf of these children and families shall be sustained. State funds shall not be applied without the Secretary's approval where State or federal funding sources, such as Head Start, are available or could be made available to that county.

(f) Local partnerships may carry over funds from one fiscal year to the next, subject to the following conditions:

(1) Local partnerships in their first year of receiving direct services funding may, on a one-time basis only, carry over any unspent funds to the subsequent fiscal year.

(2) Any local partnership may carry over any unspent funds to the subsequent fiscal year, subject to the limitation that funds carried over may not exceed the increase in funding the local partnership received during the current fiscal year over the prior fiscal year.

(g) Not less than thirty percent (30%) of each local partnership's direct services allocation shall be used to expand child day care subsidies. To the extent practi-cable, these funds shall be used to enhance the affordability, availability, and quality of child day care services as described in this section."

(f) Section 27A of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 27A. Notwithstanding any other provision of law, the Early Childhood Education and Development Initiatives, under Part 10B of Article 3 of Chapter 143B of the General Statutes, are subject to the following terms and conditions for the 1995-97 fiscal biennium:

(1) Accountability.

The intent of the General Assembly is to strengthen the accountability of the Department of Human Resources, the North Carolina Partnership for Children, Inc., and the local partnerships in the expenditure of public funds and achievement of Program goals for the Early Childhood Education and Development Initiatives Program, as authorized under Part 10B of Article 3 of Chapter 143B of the General Statutes. The importance of education as a part of all initiatives in this Program shall be emphasized.

In order to accomplish this level of accountability, the Joint Legislative Commission on Governmental Operations shall, consistent with current law, be the legislative oversight body for the Program. The President *Pro Tempore* of the Senate and the Speaker of the House of Representatives may appoint a subcommittee of the Joint Legislative Commission on Governmental Operations to carry out this function. This subcommittee may conduct all initial reviews of plans, reports, and budgets relating to the Program and shall make

recommendations to the Joint Legislative Commission on Governmental Operations.

a. Existing Partnerships – Local partnerships receiving State funds shall submit a Certification Annual Report on April 1 of each year to the North Carolina Partnership for Children, Inc., the Joint Legislative Commission on Governmental Operations, or any committee designated by Joint Legislative Commission on Governmental Operations. Administrative costs shall be equivalent to, on an average statewide basis for all local partnerships, not more than eight percent (8%) of the total statewide allocation to all local partnerships. Quality incentive grants as prescribed in the Smart Start Performance Audit recommendations shall be administered at the partnership level. A definition of administrative costs shall be determined by the independent firm selected under sub–subdivision b. of this subdivision.

b. Program Audit – The Joint Legislative Commission on Governmental Operations shall select an independent firm recognized in performance auditing to conduct an independent performance audit of the first two years of operations of the 24 existing partnerships and of the administration of the Program by the Department of Human Resources. The audit's directives shall be determined by the Joint Legislative Commission on Governmental Operations and the independent firm. An interim program and performance audit report shall be submitted to the Joint Legislative Commission on Governmental Operations by January 1, 1996, and a final program and performance audit report shall be submitted to the Joint Legislative Commission on Governmental Operations by April 1, 1996. A definition of administrative costs shall be determined by the independent firm. Only in–kind contributions that are quantifiable, as determined by the independent firm, may be applied to the in–kind match requirement. The match requirement in subdivision (3) of this section shall be studied by the independent firm and recommendations for revision, if any, shall be reported to the Joint Legislative Commission on Governmental Operations.

~~c. The North Carolina Partnership for Children, Inc., shall continue to make quarterly reports to the Joint Legislative Commission on Governmental Operations as provided for in G.S. 143B-168.13(5).~~

d. New ~~partnerships~~ Partnerships – In subsequent fiscal biennia, any new local partnership, before receiving State funds, shall be required to submit a detailed plan for expenditure of State funds for appropriate programs to the North Carolina Partnership for Children, Inc., and the Joint Legislative Commission on Governmental Operations for approval in April of the fiscal year in which the local partnership received planning funds. State funds to implement the programs shall not be allocated to the local partnership until the program plan is approved by the North Carolina Partnership for Children, Inc., after consultation with the Joint Legislative Commission on Governmental Operations. After receipt of initial program funds, local partnerships shall then be required to submit annual Certification Reports as provided for in sub–subdivision a. of this subdivision.

e. Contracting for Services – The North Carolina Partnership for Children, Inc., and all local Partnerships shall use competitive bidding practices in contracting for goods and services on all contract amounts of $1,500 and above, and where practicable, for amounts of less than $1,500.

f. Role of North Carolina Partnership for Children, Inc. – The role of the North Carolina Partnership for Children, Inc., shall be expanded to incorporate all the aspects of the new role prescribed for the Partnership in the Smart Start Performance Audit recommendations and to provide technical assistance to local partnerships, assess outcome goals for children and families, ensure that statewide goals and legislative guidelines are being met, help establish policies and outcome measures, obtain non–State resources for early childhood and family services, and document and verify the cumulative contributions received by the partnerships.

(2) Funding.

a. Existing ~~partnerships~~ Partnerships – All 24 local partnerships that received State funds during the 1993–95 biennium shall receive their State funds proposed for the 1995–96 fiscal year. Existing partnerships shall file budgets and plans for review by the North Carolina Partnership for Children, Inc. Funds for the 1996–97 fiscal year shall be available after the Joint Legislative Commission on Governmental Operations has reviewed the independent evaluation discussed in sub-subdivision (1)b. of this subdivision, and the Partnership has approved these plans and budgets in consultation with the Joint Legislative Commission on Governmental Operations. These 24 partnerships shall be required to submit a Certification Annual Report as provided in sub-subdivision a. of subdivision (1) of this ~~section,~~ subsection beginning in April 1997.

b. New ~~partnerships~~ Partnerships – Funds for planning, up to a maximum of $3,500,000, may be made available to the ~~12~~ new partnerships in the 1995–96 fiscal year out of the continuation monies designated for the program. If the performance audit report is determined to be satisfactory to the Joint Legislative Commission on Governmental Operations, funding and other recommendations for expansion shall be made to the General Assembly by the Joint Legislative Commission on Governmental Operations for the 1996–97 fiscal year.

c. Department of Human Resources; State-level administrative funding in the 1995–96 fiscal year and the 1996–97 fiscal year – Of the funds appropriated to the Department of Human Resources for Early Childhood Education and Development Initiatives for the 1995–97 fiscal biennium:

1. No funds shall be used for State education technology;
2. The Department of Human Resources shall receive $500,000 for the 1995–96 fiscal year and ~~$250,000~~ $500,000 for the 1996–97 fiscal year for State administration;
3. The Joint Legislative Commission on Governmental Operations shall receive $500,000 for the 1995–96 fiscal year for the independent performance audit contract; ~~and~~

4. Funding for the North Carolina Partnership for Children, Inc., shall be $700,000 for ~~each fiscal year of the biennium.~~ the 1995–96 fiscal year and shall be $1,700,000 for the 1996–97 fiscal year; and

5. Funding for the Frank Porter Graham Child Development Center's evaluation of the Early Childhood Education and Development Initiatives shall be increased to $850,000 for the 1996–97 fiscal year.

(3) Matching requirement.

The North Carolina Partnership for Children, Inc., and all local partnerships shall, in the aggregate, be required to match no less than 50% of the total amount budgeted for the Early Childhood Education and Development Initiatives in each fiscal year of the biennium as follows: contributions of cash equal to at least ten percent (10%) and in–kind donated resources equal to no more than ten percent (10%) for a total match requirement of twenty percent (20%) for each fiscal year. Only in–kind contributions that are quantifiable, as determined by the independent auditing firm, shall be applied to the in–kind match requirement.

Failure to obtain a twenty percent (20%) match by May 1 of each fiscal year shall result in a proportionate reduction in the appropriation for the Early Childhood Education and Development Initiatives Program for the next fiscal year. The North Carolina Partnership for Children, Inc., shall be responsible for compiling information on the private cash and in–kind contributions into a report that is submitted to the Joint Legislative Commission on Governmental Operations pursuant to G.S. 143B–168.13(5) in a format that allows verification by the Department of Revenue. The same match requirements shall apply to any expansion funds appropriated by the General Assembly."

(g) Article 12I of Chapter 120 of the General Statutes is repealed.

(h) Section 23.13 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 23.13. Counties participating in the Early Childhood Education and Development Initiatives authorized by Part 10B of Article 3 of Chapter 143B of the General Statutes may use the county's allocation of State and federal child care funds to subsidize child care according to the county's Early Childhood Education and Development Initiatives Plan as approved by the ~~Department of Human Resources.~~ North Carolina Partnership for Children, Inc. The use of federal funds shall be consistent with the appropriate federal regulations. Day care providers shall, at a minimum, comply with the applicable requirements for State licensure or registration pursuant to Article 7 of Chapter 110 of the General Statutes, with other applicable requirements of State law or rule, including rules adopted for nonregistered day care by the Social Services Commission, and with applicable federal regulations."

(i) Notwithstanding any policy to the contrary, the Frank Porter Graham Child Development Center may use any method legally available to it to track children who are participating or who have participated in any Early Childhood Education and Development Initiative in order to carry out its ongoing evaluation of the Early Childhood Education and Development Initiatives Program.

(j) In addition to the specific changes set forth in subsections (b) through (i) of this section, the Department of Human Resources and the North Carolina Partnership also shall do the following:

(1) Plan and prepare for effective Early Childhood Initiatives Program implementation in those counties not yet phased into the overall program.

(2) Maintain the current State level of administrative support for the Early Childhood Initiatives Program for 1996–97.

(3) Develop a statewide resource and referral database.

(4) Continue the evaluation of the Early Childhood Initiatives Program by the Frank Porter Graham Child Development Center.

(k) There is allocated from the funds appropriated to the Department of Human Resources, Division of Child Development, in this act, the sum of ten million one hundred fifty thousand dollars ($10,150,000) for the 1996–97 fiscal year, to be used as follows:

(1) Of the 24 partnerships existing as of 1995–96, funds for direct services for the Mecklenburg County and Cumberland County partnerships shall be increased a total of $1,400,000. The North Carolina Partnership, Inc. shall determine the relative proportion of this increased funding that the Mecklenburg County and Cumberland County partnerships will receive. These funds shall be for expansion of programs, effective January 1, 1997;

(2) For the new partnerships planned for as of 1995–96, funds shall be $7,550,000. These funds shall be for expansion of programs, effective January 1, 1997; and

(3) For the new partnerships planned for as of 1996–97, funds shall be $1,200,000 for planning purposes.

Requested by: Representatives Gardner, Hayes, Howard, Berry, Nye, Russell, Senators Martin of Guilford, Lucas

AFDC FRAUD CONTROL PROGRAM/DEBT SETOFF/CLIENT PROTECTION

Sec. 24.30. (a) The Department of Human Resources, immediately, shall elect the optional Aid to Families with Dependent Children (AFDC) Fraud Control Program pursuant to 45 C.F.R. 235.112. This program is deemed to apply to Work First Cash Assistance, effective July 1, 1996, as well as to AFDC, pursuant to the federal waivers received by the Department of Human Resources on February 5, 1996.

(b) The Department of Human Resources shall award incentive bonuses to each county for each of the county's AFDC fraud and Work First Cash Assistance claims recouped pursuant to the AFDC Fraud Control Program. Each incentive bonus shall equal one–half of the State's distributive share of the total AFDC and Work First Cash Assistance benefit amount that was determined fraudulent and recouped pursuant to the AFDC Fraud Control Program.

(c) The Department of Human Resources, Division of Social Services, shall develop and implement a statewide automated system to track AFDC and Work First Cash Assistance fraud claims and collect such claims by any appropriate method, including debt setoff pursuant to Chapter 105A of the General Statutes.

(d) G.S. 105A–2(1)r. reads as rewritten:

"r. The North Carolina Department of Human Resources when in the performance of its ~~intentional program violation~~ collection duties for intentional program violations and violations due to inadvertent household error under the Food Stamp Program enabled by Chapter

108A, Article 2, Part 5, and any county operating the same Program at the local level, when and only to the extent such a county is in the performance of Food Stamp Program ~~intentional program violation~~ collection functions.

The North Carolina Department of Human Resources when, in the performance of its duties under the Aid to Families with Dependent Children Program or the Aid to Families with Dependent Children — Emergency Assistance Program provided in Part 2 of Article 2 of Chapter 108A or the Work First Cash Assistance Program established pursuant to the federal waivers received by the Department on February 5, 1996, or under the State–County Special Assistance for Adults Program provided in Part 3 of Article 2 of Chapter 108A, it seeks to collect public assistance payments obtained through an intentional false statement, intentional misrepresentation, ~~or~~ intentional failure to disclose a material ~~fact;~~ fact, or inadvertent household error;".

(e) The Department of Human Resources shall ensure that persons charged with, or suspected of, AFDC fraud not be subjected to any of the following:

(1) Coercion;

(2) Discrimination in targeting persons for civil action or criminal prosecution; or

(3) Civil investigation or civil action without being (i) properly informed as to those matters that might arise out of this investigation or action that might result in criminal prosecution and (ii) in such a case, being properly advised of their right not to incriminate themselves.

(f) The Department shall fund this section from funds available to it.

Requested by: Senators Martin of Guilford, Lucas,
Representatives Gardner, Nye, Russell, Berry, Howard

FOOD STAMP FELONY FRAUD

Sec. 24.31. (a) G.S. 108A–53(a), as amended by Section 19.5(n) of Chapter 507 of the 1995 Session Laws, reads as rewritten:

"(a) Any person, whether provider or recipient or person representing himself as such, who knowingly obtains or attempts to obtain, or aids or abets any person to obtain by means of making a willfully false statement or representation or by impersonation or by failing to disclose material facts or in any manner not authorized by this Part or the regulations issued pursuant thereto, transfers with intent to defraud any food stamps or authorization cards to which ~~he~~ that person is not entitled in the amount of ~~one thousand dollars ($1,000)~~ four hundred dollars ($400.00) or less shall be guilty of a Class 1 misdemeanor. Whoever knowingly obtains or attempts to obtain, or aids or abets any person to obtain by means of making a willfully false statement or representation or by impersonation or by failing to disclose material facts or in any manner not authorized by this Part or the regulations issued pursuant thereto, transfers with intent to defraud any food stamps or authorization cards to which he is not entitled in an amount more than ~~one thousand dollars ($1,000)~~ four hundred dollars ($400.00) shall be guilty of a Class I felony."

(b) This section becomes effective December 1, 1996, and applies to offenses committed on or after that date.

Requested by: Representative Esposito,
Senator Martin of Guilford

MEDICAID STUDY EXTENSION

Sec. 24.32. Section 23.5A(d) of Chapter 507 of the 1995 Session Laws reads as rewritten:

"(d) The task force shall report the results of its study, together with any legislative proposals and cost analyses, to the 1995 General Assembly, Regular Session 1996, within a week of its ~~convening or~~ convening, to a special session of the 1995 General Assembly called to deal with federal block grant funding ~~issues.~~ issues, or to the 1997 General Assembly within a week of its convening."

PART 25. DEPARTMENT OF AGRICULTURE

Requested by: Representatives Mitchell, Weatherly, Miner,
Senator Martin of Pitt

RELEASE THE STATE'S REVERSIONARY INTEREST IN THE PROPERTY OF FUQUAY-VARINA AMERICAN LEGION POST 116

Sec. 25.1. (a) The General Assembly finds:

(1) On April 28, 1941, the United States deeded to the State Board of Education a parcel of land north of Fuquay-Varina in Wake County, that deed being recorded at Book 868, page 171, Wake County Registry, and that deed had a right of termination by the United States if the property was not used for facilities which further the rehabilitation or education of the rural people of North Carolina;

(2) On April 1, 1949, as approved by the Council of State, the State of North Carolina deeded to trustees for the use and benefit of Fuquay Springs, North Carolina, Post 116 of the American Legion, the same parcel with the same covenant as to the use of the property, that deed being recorded at Book 1019, page 172, Wake County Registry; and

(3) The Congress of the United States, in Private Law 428, approved by President Eisenhower on June 21, 1954, directed the Secretary of Agriculture to convey to those trustees by quitclaim deed its remaining interest in the property; and

(4) By deed dated November 30, 1962, and recorded at Book 1533, page 54, Wake County Registry, the United States conveyed its remaining interest in the property to the North Carolina Rural Development Corporation, an agency of the State of North Carolina under G.S. 137-31.1; and

(5) American Legion Post 116 of Fuquay-Varina desires to make improvements to the property, but financing such improvements is complicated by the restriction on the property.

(b) The State of North Carolina and the North Carolina Rural Rehabilitation Corporation shall convey to the grantees of the deed recorded at Book 1019, page 172, Wake County Registry, by quitclaim deed, all of the right, title, and interest they have retained in property deeded by the State of North Carolina, that deed being recorded at Book 1019, page 172, Wake County Registry.

Requested by: Representatives Mitchell, Weatherly,
Senators Kerr, Martin of Pitt

REMOVE SUNSET FOR GRAPE GROWERS' EXCISE TAX DISTRIBUTION

Sec. 25.2. (a) Section 3 of Chapter 836 of the 1987 Session Laws reads

as rewritten:

"Sec. 3. This act shall become effective August 1, ~~1987, and shall terminate June 30, 1997.~~ 1987."

(b) Section 12(b) of Chapter 1036 of the 1987 Session Laws, as amended by Section 176(b) of Chapter 900 of the 1991 Session Laws, is repealed.

(c) This section is effective upon ratification.

Requested by: Representatives Mitchell, Weatherly,
Senator Martin of Pitt

TIMBER RECEIPTS FOR CERTAIN CAPITAL PROJECTS

Sec. 25.3. The sum of one million three hundred seventy-six thousand dollars ($1,376,000) shall be transferred from the Department of Agriculture's timber sales capital improvement account, established pursuant to G.S. 146-30, to the Department of Agriculture for the 1996-97 fiscal year and shall be used for the following capital improvement projects at research stations and State farms:

(1) $387,400 for an addition to the swine facility at the Cherry Farm Unit.
(2) $126,700 for a farm equipment shelter at the Cherry Farm Unit.
(3) $329,300 for a shop and storage facility at the Upper Coastal Plain Station.
(4) $106,900 for a dairy milking parlor at the Caswell Farm Unit.
(5) $132,300 for research plot land at the Upper Mountain Station.
(6) $150,000 for an irrigation system at the Mountain Station.
(7) $143,400 for an office building at the Oxford Station.

Requested by: Representatives Mitchell, Weatherly,
Senators Martin of Pitt, Jordan, Kerr

CATTLE AND LIVESTOCK EXPOSITION FUNDS

Sec. 25.4. Section 40 of Chapter 769 of the 1993 Session Laws, as amended by subsection (b) of Section 24 of Chapter 507 of the 1995 Session Laws, reads as rewritten:

"Sec. 40. Any unencumbered funds that were appropriated to the Department of Agriculture for the 1994-95 fiscal year for planning the construction of the Cattle and Livestock Exposition Center ~~shall be~~ and placed in a reserve in the Department of Agriculture ~~until further allocated by the 1995 General Assembly, Regular Session 1996.~~ shall be transferred to the Office of State Budget and Management to be used for land acquisition, planning, and construction of the Cattle and Livestock Exposition Center. The Center will house livestock shows and exhibits, educational programs, and a laboratory for embryo transfer research, semen evaluation, and livestock blood work."

PART 26. DEPARTMENT OF COMMERCE

Requested by: Representatives Mitchell, Weatherly, Nichols, Baker,
Senators Martin of Pitt, Jordan, Kerr

GLOBAL TRANSPARK AUTHORITY/AUDIT BY STATE AUDITOR

Sec. 26. G.S. 63A-23 reads as rewritten:

"**§ 63A-23. Annual and quarterly reports.**

The Authority shall, promptly following the close of each fiscal year, submit an annual report of its activities for the preceding year to the Governor, the General Assembly, and the Local Government Commission. Each report shall be accompanied by an audit of its books and accounts. The audit shall be conducted by the

State Auditor. The costs of all ~~audits, whether conducted by the State Auditor's staff or contracted with a private auditing firm,~~ audits shall be paid from funds of the Authority.

The Authority shall submit quarterly reports to the Joint Legislative Commission on Governmental Operations. The reports shall summarize the Authority's activities during the quarter and contain any information about the Authority's activities that is requested by the Commission."

Requested by: Representatives Mitchell, Weatherly,
Senator Martin of Pitt

WORLD TRADE CENTER FUNDS

Sec. 26.1. Of the funds appropriated in this act to the Department of Commerce, the sum of two hundred thousand dollars ($200,000) for the 1996–97 fiscal year shall be allocated to the World Trade Center North Carolina (WTCNC) to support international trade education programs for small and medium–sized businesses. The WTCNC shall report to the Joint Legislative Commission on Governmental Operations on the use of these funds on or before March 1 of each fiscal year, and more frequently as requested by the Commission.

Requested by: Representatives Mitchell, Weatherly,
Senators Martin of Pitt, Ballance, Jordan, Kerr

FUNDS FOR ECONOMIC DEVELOPMENT

Sec. 26.2. Of the funds appropriated in this act to the Department of Commerce, the sum of one million five hundred twenty–five thousand dollars ($1,475,000) for the 1996–97 fiscal year shall be allocated as follows:

(1) $275,000 to the Land Loss Prevention Project, Inc., to provide free legal representation to low–income, financially distressed small farmers. The Land Loss Prevention Project, Inc., shall not use these funds to represent farmers who have income and assets that would make them financially ineligible for legal services pursuant to Title 45, Part 1611 of the Code of Federal Regulations. The Land Loss Prevention Project, Inc., shall report to the Joint Legislative Commission on Governmental Operations on October 1 and March 1 of each fiscal year, and more frequently as requested by the Commission, on the use of these funds;

(2) $145,000 to the North Carolina Coalition of Farm and Rural Families, Inc., for its Small Farm Economic Development Project. These funds shall be used to foster economic development within the State's rural farm communities by offering marketing and technical assistance to small and limited resource farmers. The North Carolina Coalition of Farm and Rural Families, Inc., shall report to the Joint Legislative Commission on Governmental Operations on October 1 and March 1 of each fiscal year, and more frequently as requested by the Commission, on the use of these funds;

(3) $780,000 to the North Carolina Institute for Minority Economic Development, Inc., to foster minority economic development within the State through policy analysis, information and technical assistance, resource expansion and support of community–based demonstration initiatives. The North Carolina Institute for Minority Economic Development, Inc., shall report to the Joint Legislative Commission on Governmental Operations on October 1 and March 1 of each fiscal year, and more frequently as requested by the Commission, on the use of these funds; and

(4) $275,000 to the North Carolina Minority Support Center (formerly known as the Minority Credit Union Support Center) for technical assistance to community–based minority credit unions. The North Carolina Minority Support Center shall report to the Credit Union Division of the Department of Commerce and to the Joint Legislative Commission on Governmental Operations on October 1 and March 1 of each fiscal year, and more frequently as requested by the Department or the Commission, on the use of these funds.

Requested by: Representatives Mitchell, Weatherly,
Senator Martin of Pitt

MCNC

Sec. 26.3. Section 25.9 of Chapter 324 of the 1995 Session Laws reads as rewritten:

"Sec. 25.9. (a) MCNC shall report on all of its programs including contractual services for Supercomputer and the Research and Education Network to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division on or before March 1 of each fiscal year, and more frequently as requested by the Commission. The reports shall include information on the activities and accomplishments during the past fiscal year, itemized expenditures during the past fiscal year with sources of funding, planned activities, and accomplishments for at least the next 12 months, and itemized anticipated expenditures with sources of funding for the next 12 months. The report on the activities of the Supercomputer and the Research and Education Network ~~program~~ programs shall identify the ~~users of the Supercomputer,~~ users, the major projects conducted by the users, and the ~~potential~~ benefits of the projects.

(b) MCNC shall provide a report containing detailed budget information to the Office of State Budget and Management in the same manner as State departments and agencies in preparation for biennium budget requests. Specific salary information will be provided upon written request by the Chairs of the Joint Legislative Commission on Governmental Operations or the Chairs of the House Appropriations Subcommittee on Natural and Economic Resources and the Chairs of the Senate Appropriations Committee on Natural and Economic Resources.

(c) The funds appropriated in this act to MCNC shall be used as follows:

	FY 1995–96	FY 1996–97
Microelectronics Program	$5,362,523	~~$5,362,523~~ 4,966,721
Supercomputer	9,576,319	~~9,576,319~~ 798,275
Telecommunications	4,826,158	~~4,826,158~~ –0–

(d) Of the funds appropriated to MCNC for the Microelectronics Program, ~~five million three hundred sixty-two thousand five hundred twenty-three dollars ($5,362,523) in each fiscal year~~ four million nine hundred sixty–six thousand seven hundred twenty–one dollars ($4,966,721) for the 1996–97 fiscal year is contingent upon a dollar–for–dollar match in non–State funds.

(e) If MCNC finds it necessary to make changes in the program allocations specified in subsection (c) of this section, MCNC shall report such changes to the Joint Legislative Commission on Governmental Operations 30 days before the reallocation.

(f) ~~Funds appropriated in this act to MCNC for Migration of Current Network to the North Carolina Information Highway System (NCIHS) shall be used as follows:~~

~~(1) To cover the costs of connecting and operating the North Carolina Research and Education Network through the North Carolina Information Highway so that universities and research centers will continue to have the capability currently available through the North Carolina Research and Education Network,~~

~~(2) For program support, and~~

~~(3) For MCNC to serve as gateway to the North Carolina Information Highway for the 18 sites.~~ Funds transferred in this act from the Department of Commerce to the UNC Board of Governors shall be used for contracting the purchase of supercomputing and research and education networking services to continue the provision of these services at North Carolina universities and colleges."

Requested by: Representatives Mitchell, Weatherly,
Senators Martin of Pitt, Ballance, Jordan, Kerr

ECONOMIC DEVELOPMENT FUNDS

Sec. 26.4. Section 25.4 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 25.4. (a) Definition. — For purposes of this section, the term 'community development corporation' means a nonprofit corporation:

(1) Chartered pursuant to Chapter 55A of the General Statutes;

(2) Tax–exempt pursuant to section 501(c)(3) of the Internal Revenue Code of 1986;

(3) Whose primary mission is to develop and improve low–income communities and neighborhoods through economic and related development;

(4) Whose activities and decisions are initiated, managed, and controlled by the constituents of those local communities; and

(5) Whose primary function is to act as deal–maker and packager of projects and activities that will increase their constituencies' opportunities to become owners, managers, and producers of small businesses, affordable housing, and jobs designed to produce positive cash flow and curb blight in the target community.

(b) Of the funds appropriated in this act to the Rural Economic Development Center, Inc., the sum of ~~three million eight hundred thousand dollars ($3,800,000) for the 1995–96~~ two million seven hundred thousand dollars ($2,700,000) for the 1996–97 fiscal year shall be placed in an Economic and Community Development Program Reserve. Funds shall be allocated from the Reserve by the Rural Economic Development Center, Inc. as follows:

(1) $1,350,000 for community development grants to support community development projects and activities within the State's minority communities. Any community development corporation as defined in this section is eligible to apply for funds. The Rural Economic Development Center shall establish performance–based criteria for determining which community development corporations will receive a grant and the grant amount. Funding will also be allocated to the North Carolina Association of Community Development Corporations, Inc. The Rural Economic Development Center, Inc., shall allocate these grant funds from the Economic and Community Development Program Reserve as follows:

a. $900,000 for direct grants to the local community development

corporations that have previously received State funds for this purpose to support operations and project activities,

b. $250,000 for direct grants to local community development organizations that have not previously received State funds,

c. $150,000 to the North Carolina Association of Community Development Corporations, Inc. to provide training, technical assistance, resource development, project assistance, and support for local community development corporations statewide, and

d. $50,000 to the Rural Economic Development Center, Inc. to be used to cover expenses in administering this section;

~~(2) $275,000 to the Minority Credit Union Support Center for technical assistance to community based minority credit unions;~~

(3) $250,000 to the Microenterprise Loan Program to support the loan fund and operations of the Program;

(4) ~~$100,000~~ $150,000 allocated as follows:

a. $25,000 to the Opportunities Industrialization Center of Wilson, Inc., for its ongoing job training programs;

b. $25,000 to Opportunities Industrialization Center, Inc., in Rocky Mount, for its ongoing job training programs;

c. $25,000 to Pitt–Greenville Opportunities Industrialization Center, Inc. for its ongoing job training programs; and

d. $25,000 to the Opportunities Industrialization Center of Lenoir, Greene, and Jones ~~Counties.~~ Counties; and

e. $50,000 to the Opportunities Industrialization Center of Elizabeth City, Inc.

Funds allocated pursuant to sub-subdivisions a. through d. of this subdivision shall be in addition to funds allocated pursuant to Section 25.12 of Chapter 324 of the 1995 Session Laws. Reporting requirements of that section shall apply to all funds allocated under this subdivision; and

(5) ~~$400,000~~ $950,000 shall be used for a program to provide supplemental funding for matching requirements for economic development in economically depressed areas. The Center shall use the funds to make grants to local governments and nonprofit corporations to provide funds necessary to match federal grants or other grants for necessary economic development projects and activities in economically depressed areas. The grant recipients shall be selected on the basis of ~~need;~~ need. Of the funds allocated under this subdivision, the sum of up to one hundred fifty thousand dollars ($150,000) shall be used to address potential and actual threats to the public health.

~~(6) $275,000 to the Land Loss Prevention Project, Inc., to provide free legal representation to low-income, financially distressed small farmers. The Land Loss Prevention Project, Inc., shall not use these funds to represent farmers who have income and assets that would make them financially ineligible for legal services pursuant to Title 45, Part 1611 of the Code of Federal Regulations. The Land Loss Prevention Project, Inc., shall report to the Joint Legislative Commission on Governmental Operations on October 1 and March 1 of each fiscal year, and more frequently as requested by the Commission, on the use of these funds;~~

~~(7) $245,000 to the North Carolina Coalition of Farm and Rural Families, Inc., for its Small Farm Economic Development Project. These~~

~~funds shall be used to foster economic development within the State's rural farm communities by offering financial, marketing, and technical assistance to small and limited resource farmers. The North Carolina Coalition of Farm and Rural Families, Inc., shall report to the Joint Legislative Commission on Governmental Operations on October 1 and March 1 of each fiscal year, and more frequently as requested by the Commission, on the use of these funds;~~

~~(8) $780,000 to the North Carolina Institute for Minority Economic Development, Inc., to foster minority economic development within the State through policy analysis, information and technical assistance, resource expansion and support of community-based demonstration initiatives. The North Carolina Institute for Minority Economic Development, Inc., shall report to the Joint Legislative Commission on Governmental Operations on October 1 and March 1 of each fiscal year, and more frequently as requested by the Commission, on the use of these funds;~~

~~(9) $100,000 to the Lake Gaston Economic Development Corporation for planning and preliminary development of a conference center and related facilities for the Lake Gaston area; and~~

~~(10) $25,000 to the Roanoke-Chowan Community College for its sheltered workshop program.~~

(c) The Rural Economic Development Center, Inc. shall report to the Joint Legislative Commission on Governmental Operations on October 1 and March 1 of each fiscal year, and more frequently as requested by the Commission, on the uses of funds allocated pursuant to subdivisions (1), ~~(2), (3), (4), (5), (9), and (10)~~ (3), (4), and (5) of subsection (b) of this section."

Requested by: Senators Martin of Pitt, Kerr, Jordan,
Representatives Mitchell, Weatherly

INDUSTRIAL DEVELOPMENT FUND UTILITY ACCOUNT

Sec. 26.5. (a) Of the funds appropriated in this act to the Department of Commerce for the 1996–97 fiscal year, the sum of two million dollars ($2,000,000) shall be deposited to and used for the Utility Account established under G.S. 143B–437A(b1).

(b) In addition to the reporting requirements of G.S. 143B–437A, the Department of Commerce shall report annually to the General Assembly concerning the payments made from the Utility Account and the impact of the payments on job creation in the State. The Department of Commerce shall also report quarterly to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division on the use of the moneys in the Utility Account including information regarding to whom payments were made, in what amounts, and for what purposes.

Requested by: Senators Martin of Pitt, Jordan, Kerr,
Representatives Mitchell, Weatherly

TECHNOLOGICAL DEVELOPMENT AUTHORITY FUNDS/INVESTMENT

Sec. 26.6. G.S. 96–5 is amended by adding the following new subsection to read:

"(g) Notwithstanding subsection (f) of this section, the State Treasurer may invest not more than a total of twenty–five million dollars ($25,000,000) of funds in the Employment Security Commission Reserve Fund established under subsection (f) of this section in securities issued by the North Carolina Technological

"(e) The Commission shall report the results of its study and its recommendations to the ~~1995 General Assembly by May 1, 1996.~~ General Assembly. The Commission may make an interim report to the 1996 Regular Session of the 1995 General Assembly and shall make a final report upon the convening of the 1997 General Assembly. The Commission shall terminate upon filing of its final report."

(b) This section becomes effective April 30, 1996.

Requested by: Senators Plyler, Martin of Pitt, Jordan, Kerr, Representatives Mitchell, Weatherly

INDUSTRIAL PARK/AUTHORITY

Sec. 26.11. Section 7 of Chapter 419 of the 1971 Session Laws, as rewritten by Section 2 of Chapter 342 of the 1995 Session Laws and Section 7 of Chapter 511 of the 1995 Session Laws, reads as rewritten:

"Sec. 7. Private property needed by said Airport Authority for any airport, industrial park, landing field or facilities of same may be acquired by gift or devise, or may be acquired by private purchase or by the exercise of the power of eminent domain, pursuant to the provisions of Chapter 40A of the General Statutes of North Carolina, as amended. When the Airport Authority files a complaint to condemn property for a purpose authorized by this act, title to the property and the right to immediate possession of the property vests in the Airport Authority when the complaint is filed and the Airport Authority deposits the value of the property in accordance with ~~G.S. 40A-41, unless the owner of the property initiates an action for injunctive relief.~~ G.S. 40A-41."

PART 27. DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES

Requested by: Representatives Mitchell, Weatherly, Nichols, Senators Martin of Pitt, Jordan, Kerr

AGRICULTURE COST SHARE FUNDS FOR ANIMAL OPERATIONS LOCATED IN A RIVER BASIN OTHER THAN THE NEUSE RIVER BASIN

Sec. 27. Of the funds appropriated in this act to the Department of Environment, Health, and Natural Resources, Division of Soil and Water Conservation, for the Agriculture Cost Share Program for Nonpoint Source Pollution Control, the sum of five million seven hundred fifty thousand dollars ($5,750,000) for the 1996–97 fiscal year shall be used to assist existing animal operations in obtaining approved animal waste management plans for those animal operations located, in whole or in part, in a county in one of the State's 17 river basins other than the Neuse River Basin and shall be used in accordance with G.S. 143-215.74(b), as amended by this act. When implementing this section, the Department shall cooperate with the Cooperative Extension Service, the Natural Resource Conservation Service of the United States Department of Agriculture, and the local Soil and Water Conservation Districts. Any of these funds remaining at the end of the 1996–97 fiscal year shall not revert, but shall remain available for use pursuant to this section.

Requested by: Representatives Mitchell, Weatherly, Nichols, Senators Martin of Pitt, Jordan, Kerr

AGRICULTURE COST SHARE FUNDS FOR ANIMAL OPERATIONS LOCATED IN THE NEUSE RIVER BASIN

Sec. 27.1. Of the funds appropriated in this act to the Department of Environment, Health, and Natural Resources, Division of Soil and Water

Conservation, for the Agriculture Cost Share Program for Nonpoint Source Pollution Control, the sum of one million seven hundred fifty thousand dollars ($1,750,000) for the 1996–97 fiscal year shall be used to assist existing animal operations in obtaining approved animal waste management plans and farm operations in installing best management practices for those agriculture operations located, in whole or in part, in a county in the Neuse River Basin and shall be used in accordance with G.S. 143–215.74(b), as amended by this act. When implementing this section, the Department shall cooperate with the Cooperative Extension Service, the Natural Resource Conservation Service of the United States Department of Agriculture, and the local Soil and Water Conservation Districts. Any of these funds remaining at the end of the 1996–97 fiscal year shall not revert, but shall remain available for use pursuant to this section.

Requested by: Representatives Mitchell, Nichols, Weatherly,
Senators Martin of Pitt, Jordan, Kerr

STATEWIDE TECHNICAL ASSISTANCE FOR ANIMAL WASTE MANAGEMENT PLANS

Sec. 27.2. Of the funds appropriated in this act to the Department of Environment, Health, and Natural Resources, Division of Soil and Water Conservation, the sum of one million one hundred sixty–seven thousand five hundred dollars ($1,167,500) for the 1996–97 fiscal year shall be used to provide technical assistance to operators in the process of obtaining approved animal waste management plans for animal operations. When implementing this section, the Department shall cooperate with the Cooperative Extension Service, the Natural Resource Conservation Service of the United States Department of Agriculture, and the local Soil and Water Conservation Districts. Any of these funds remaining at the end of the 1996–97 fiscal year shall not revert, but shall remain available for use pursuant to this section.

Requested by: Representatives Mitchell, Weatherly, Nichols,
Senators Martin of Pitt, Jordan, Kerr

ODOR CONTROL TECHNOLOGY STUDY

Sec. 27.3. Of the funds appropriated to the Department of Environment, Health, and Natural Resources in this act, the sum of six hundred thousand dollars ($600,000) for the 1996–97 fiscal year shall be transferred to the Board of Governors of The University of North Carolina for the North Carolina Agricultural Research Service at North Carolina State University to conduct research into economically feasible odor control technologies and to provide detailed economic analysis of odor management alternatives; provided these funds are matched with an equal sum from private sources. No later than January 1, 1997, the Board of Governors shall report to the Environmental Review Commission and the Fiscal Research Division on progress under the research, including any findings and recommendations at that time.

Requested by: Senators Martin of Pitt, Plexico, Jordan, Kerr,
Representatives Holmes, Creech, Esposito, Mitchell,
Weatherly, Nichols

WETLANDS RESTORATION PROGRAM/FUNDS

Sec. 27.4. (a) Article 21 of Chapter 143 of the General Statutes is amended by adding the following new sections to read:

"**§ 143–214.8. Wetlands Restoration Program: established.**

The Wetlands Restoration Program is established within the Department of Environment, Health, and Natural Resources. The Wetlands Restoration Program

shall be developed by the Department as a nonregulatory statewide wetlands restoration program for the acquisition, maintenance, restoration, enhancement, and creation of wetland and riparian resources that contribute to the protection and improvement of water quality, flood prevention, fisheries, wildlife habitat, and recreational opportunities. The Wetlands Restoration Program shall consist of the following components:

(1) Restoration and perpetual maintenance of wetlands.
(2) Development of restoration plans.
(3) Landowner contact and land acquisition.
(4) Evaluation of site plans and engineering studies.
(5) Oversight of construction and monitoring of restoration sites.
(6) Land ownership and management.
(7) Mapping, site identification, and assessment of wetlands functions.
(8) Oversight of private wetland mitigation banks to facilitate the components of the Wetlands Restoration Program.

"§ 143-214.9. Wetlands Restoration Program: purposes.

The purposes of the program are as follows:

(1) To restore wetlands functions and values across the State to replace critical functions lost through historic wetlands conversion and through current and future permitted impacts. It is not the policy of the State to destroy upland habitats unless it would further the purposes of the Wetlands Restoration Program.
(2) To provide a consistent and simplified approach to address mitigation requirements associated with permits or authorizations issued by the United States Army Corps of Engineers under 33 U.S.C. § 1344.
(3) To streamline the wetlands permitting process, minimize delays in permit decisions, and decrease the burden of permit applicants of planning and performing compensatory mitigation for wetlands losses.
(4) To increase the ecological effectiveness of compensatory mitigation.
(5) To achieve a net increase in wetland acres, functions, and values in each major river basin.
(6) To foster a comprehensive approach to environmental protection.

"§ 143-214.10. Wetlands Restoration Program: development and implementation of basinwide restoration plans.

Develop Basinwide Restoration Plans. — The Department shall develop basinwide plans for wetlands and riparian area restoration with the goal of protecting and enhancing water quality, flood prevention, fisheries, wildlife habitat, and recreational opportunities within each of the 17 major river basins in the State. Beginning July 1, 1997, the Department shall develop and begin implementing a basinwide restoration plan for each of the 17 river basins in the State in accordance with the basinwide schedule currently established by the Division of Water Quality.

"§ 143-214.11. Wetlands Restoration Program: compensatory mitigation.

(a) Definition. — For purposes of this section, the term 'compensatory mitigation' means the restoration, creation, enhancement, or preservation of wetlands or other areas required as a condition of a section 404 permit issued by the United States Army Corps of Engineers.

(b) Department of Environment, Health, and Natural Resources to Coordinate Compensatory Mitigation. — All compensatory mitigation required by permits or authorizations issued by the United States Army Corps of Engineers under 33 U.S.C.

§ 1344 shall be coordinated by the Department consistent with the basinwide plans for wetlands restoration and rules developed by the Environmental Management Commission. All compensatory wetlands mitigation, whether performed by the Department or by permit applicants, shall be consistent with the basinwide restoration plans.

(c) Mitigation Emphasis on Replacing Ecological Function Within Same River Basin. — The emphasis of mitigation is on replacing functions within the same river basin unless it is demonstrated that restoration of other areas would be more beneficial to the overall purposes of the Wetlands Restoration Program.

(d) Compensatory Mitigation Options Available to Applicant. — An applicant may satisfy compensatory wetlands mitigation requirements by the following actions, if those actions are consistent with the basinwide restoration plans and also meet or exceed the requirements of the United State Army Corps of Engineers:

(1) Payment of a fee established by the Department into the Wetlands Restoration Fund established in G.S. 143–214.12.

(2) Donation of land to the Wetlands Restoration Program or to other public or private nonprofit conservation organizations as approved by the Department.

(3) Participation in a private wetlands mitigation bank.

(4) Preparing and implementing a wetlands restoration plan.

(e) Payment Schedule. — A standardized schedule of per–acre payment amounts shall be established by the Environmental Management Commission. The monetary payment shall be based on the ecological functions and values of wetlands permitted to be lost and on the cost of restoring or creating wetlands capable of performing the same or similar functions, including directly related costs of wetlands restoration planning, long–term monitoring, and maintenance of restored areas.

(f) Mitigation Banks. — State agencies and private mitigation banking companies shall demonstrate that adequate, dedicated financial surety exists to provide for the perpetual land management and hydrological maintenance of lands acquired by the State as mitigation banks, or proposed to the State as privately operated and permitted mitigation banks.

"**§ 143–214.12. Wetlands Restoration Program: Wetlands Restoration Fund.**

(a) Wetlands Restoration Fund. — The Wetlands Restoration Fund is established as a nonreverting fund within the Department. The Fund shall be treated as a special trust fund and shall be credited with interest by the State Treasurer pursuant to G.S. 147–69.2 and G.S. 147–69.3. The Wetlands Restoration Fund shall provide a repository for monetary contributions and donations or dedications of interests in real property to promote projects for the restoration, enhancement, preservation, or creation of wetlands and riparian areas and for payments made in lieu of compensatory mitigation as described in subsection (b) of this section. No funds shall be expended from this Fund for any purpose other than those directly contributing to the acquisition, perpetual maintenance, enhancement, restoration, or creation of wetlands and riparian areas in accordance with the basinwide plan as described in subsection (a) of this section.

(b) Authorized Methods of Payment. — A person subject to a permit or authorization issued by the United States Army Corps of Engineers under 33 U.S.C. § 1344, may contribute to the Wetlands Restoration Program, to comply with conditions to, or terms of, the permit or authorization, if participation in the Wetlands Restoration Program will meet the mitigation requirements of the United States Army Corps of Engineers. The Department shall, at the discretion of the applicant, accept payment

into the Wetlands Restoration Fund in lieu of other compensatory mitigation requirements of any authorizations issued by the United States Army Corps of Engineers under 33 U.S.C. § 1344 if the contributions will meet the mitigation requirements of the United States Army Corps of Engineers. Payment may be made in the form of monetary contributions according to a fee schedule established by the Environmental Management Commission or in the form of donations of real property provided that the property is approved by the Department as a suitable site consistent with the basinwide wetlands restoration plan.

(c) Accounting of Payments. — The Department shall provide an itemized statement that accounts for each payment into the Fund. The statement shall include the expenses and activities financed by the payment.

"**§ 143–214.13. Wetlands Restoration Program: reporting requirement.**

The Department of Environment, Health, and Natural Resources shall report each year by November 1 to the Environmental Review Commission regarding its progress in implementing the Wetlands Restoration Program and its use of the funds in the Wetlands Restoration Fund. The report shall document statewide wetlands losses and gains and compensatory mitigation performed under G.S. 143–214.8 through G.S. 143–214.12. The report shall also provide an accounting of receipts and disbursements of the Wetlands Restoration Fund, an analysis of the per–acre cost of wetlands restoration, and a cost comparison on a per–acre basis between the State's Wetland Restoration Program and private mitigation banks. The Department shall also send a copy of its report to the Fiscal Research Division of the General Assembly."

(b) G.S. 143B–282(a)(1) is amended by adding the following:

"u. To administer the State's authority under 33 USC § 1341 of the federal Clean Water Act."

(c) The Department of Environment, Health, and Natural Resources is directed to negotiate and enter into a Memorandum of Agreement with the United States Army Corps of Engineers regarding the restoration, creation, enhancement, and preservation of wetlands and the compensatory mitigation required of permit applicants under 33 U.S.C. § 1344. The purpose of the Memorandum of Agreement is to ensure that the State's implementation of the Wetlands Restoration Program with regard to mitigation of wetlands satisfies the United States Army Corps of Engineers and that the standards developed by the State to which the State's and other mitigation banks must adhere is acceptable to the Corps for purposes of section 404 mitigation requirements.

(d) Of the funds appropriated to the Department of Environment, Health, and Natural Resources, the sum of five hundred thousand dollars ($500,000) in recurring funds for the 1996–97 fiscal year shall be allocated to support eight staff positions and for administrative and other expenses to implement the Wetlands Restoration Program.

(e) The Environmental Review Commission shall study private mitigation banks. In its study the Environmental Review Commission shall compare private mitigation banks with the Wetlands Restoration Program and may also consider any additional issues relevant to those topics. The Environmental Review Commission shall report to the 1997 General Assembly regarding its findings and recommendations.

Requested by: Senators Basnight, Perdue, Odom, Plyler, Martin of Pitt, Jordan, Kerr,
Representatives Holmes, Creech, Esposito, Mitchell, Weatherly, Nichols

CLEAN WATER MANAGEMENT TRUST FUND

Sec. 27.6. (a) Chapter 113 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 13A.

"Clean Water Management Trust Fund.

"§ 113-145.1. Purpose.

The General Assembly recognizes that a critical need exists in this State to clean up pollution in the State's surface waters and to protect and conserve those waters that are not yet polluted. The task of cleaning up polluted waters and protecting the State's water resources is multifaceted and requires different approaches that take into account the problems, the type of pollution, the geographical area, and the recognition that the hydrological and ecological values of each resource sought to be upgraded, conserved, and protected are unique.

It is the intent of the General Assembly that moneys from the Fund created under this Article shall be used to help finance projects that specifically address water pollution problems and focus on upgrading surface waters, eliminating pollution, and protecting and conserving unpolluted surface waters, including urban drinking water supplies. It is the further intent of the General Assembly that moneys from the Fund also be used to build a network of riparian buffers and greenways for environmental, educational, and recreational benefits. While the purpose of this Article is to focus on the cleanup and prevention of pollution of the State's surface waters and the establishment of a network of riparian buffers and greenways, the General Assembly believes that the results of these efforts will also be beneficial to wildlife and marine fisheries habitats.

"§ 113-145.2. Definitions.

As used in this Article:

(1) Council. — The advisory council for the Clean Water Management Trust Fund.

(2) Economically Distressed Units of Local Government. — Counties designated as economically distressed by the Secretary of Commerce under G.S. 143B-437A and any cities located in those counties.

(3) Fund. — The Clean Water Management Trust Fund created pursuant to this Article.

(4) Land. — Real property and any interest in, easement in, or restriction on real property.

(5) Trustees. — The trustees of the Clean Water Management Trust Fund.

"§ 113-145.3. Clean Water Management Trust Fund: established.

(a) Fund Established. — There is established a Clean Water Management Trust Fund in the State Treasurer's Office that shall be used to finance projects to clean up or prevent surface water pollution in accordance with this Article.

(b) Fund Earnings, Assets, and Balances. — The State Treasurer shall hold the Fund separate and apart from all other moneys, funds, and accounts. Investment earnings credited to the assets of the Fund shall become part of the Fund. Any balance remaining in the Fund at the end of any fiscal year shall be carried forward in the Fund for the next succeeding fiscal year. Payments from the Fund shall be made on the warrant of the Chair of the Board of Trustees.

(c) Fund Purposes. — Moneys from the Fund may be used for any of the following purposes:

(1) To acquire land for riparian buffers for the purposes of providing environmental protection for surface waters and urban drinking water supplies and establishing a network of riparian greenways for environmental, educational, and recreational uses.

(2) To acquire conservation easements or other interests in real property for the purpose of protecting and conserving surface waters and urban drinking water supplies.

(3) To coordinate with other public programs involved with lands adjoining water bodies to gain the most public benefit while protecting and improving water quality.

(4) To restore previously degraded lands to reestablish their ability to protect water quality.

(5) To repair failing waste treatment systems if: (i) an application has first been submitted to receive a loan or grant from the Clean Water Revolving Loan and Grant Fund and the application was denied during the latest review cycle; (ii) the repair is a reasonable remedy for resolving an existing waste treatment problem; and (iii) the repair is not for the purpose of expanding the system to accommodate future anticipated growth of a community. Priority shall be given to economically distressed units of local government.

(6) To repair and eliminate failing septic tank systems, to eliminate illegal drainage connections, and to expand waste treatment systems if the system is being expanded as a remedy to eliminate failing septic tank systems or illegal drainage connections. Priority shall be given to economically distressed units of local government.

(7) To improve stormwater controls and management practices.

(8) To facilitate planning that targets reductions in surface water pollution.

(9) To fund operating expenses of the Board of Trustees and its staff.

(d) Limit on Operating and Administrative Expenses. — No more than two percent (2%) of the annual balance of the Fund on July 1 or a total sum of eight hundred fifty thousand dollars ($850,000), whichever is less, may be used each fiscal year for administrative and operating expenses of the Board of Trustees and its staff.

"§ 113-145.4. Clean Water Management Trust Fund: eligibility for grants; matching funds or property requirement.

(a) Eligible Grant Applicants. — Any of the following are eligible to apply for a grant from the Fund for the purpose of protecting and enhancing water quality:

(1) A State agency.

(2) A local government or other political subdivision of the State or a combination of such entities.

(3) A nonprofit corporation whose primary purpose is the conservation, preservation, and restoration of our State's environmental and natural resources.

(b) Grant Matching Requirement. — The Board of Trustees shall establish matching requirements for grants awarded under this Article. The Board of Trustees may require a match of up to twenty percent (20%) of the amount of the grant awarded. This requirement may be satisfied by the donation of land to a public or private nonprofit conservation organization as approved by the Board of Trustees. The Board of Trustees may also waive the requirement to match a grant pursuant

to guidelines adopted by the Board of Trustees.

(c) Grants Not Available to Satisfy Compensatory Mitigation Requirements. — No grant shall be awarded under this article to satisfy compensatory mitigation requirements under 33 USC § 1344 or G.S.143–214.11.

"§ 113–145.5. Clean Water Management Trust Fund: Board of Trustees established; membership qualifications; vacancies; meetings and meeting facilities.

(a) Board of Trustees Established. — There is established the Clean Water Management Trust Fund Board of Trustees. The Clean Water Management Trust Fund Board of Trustees shall be independent, but for administrative purposes shall be located under the Department of Environment, Health, and Natural Resources.

(b) Membership. — The Clean Water Management Trust Fund Board of Trustees shall be composed of 18 members. Six members shall be appointed by the Governor, six by the General Assembly upon the recommendation of the President *Pro Tempore* of the Senate in accordance with G.S. 120–121, and six by the General Assembly upon the recommendation of the Speaker of the House of Representatives in accordance with G.S. 120–121. The office of Trustee is declared to be an office that may be held concurrently with any other executive or appointive office, under the authority of Article VI, Section 9, of the North Carolina Constitution.

Persons appointed shall be knowledgeable in one of the following areas:

(1) Acquisition and management of natural areas.
(2) Conservation and restoration of water quality.
(3) Wildlife and fisheries habitats and resources.
(4) Environmental management.

(c) Initial Appointments. — Each appointing officer shall designate two of the officer's initial appointments to serve two–year terms, two to serve four–year terms, and two to serve six–year terms. Thereafter, all appointments shall be for four years, subject to reappointment. All initial appointments shall be made on or before January 1, 1997. The Governor shall appoint one Trustee to serve as Chair of the Board.

(d) Vacancies. — If a vacancy occurs, other than by the expiration of term, of a member subject to appointment by the General Assembly upon the recommendation of the Speaker of the House of Representatives or the President *Pro Tempore* of the Senate, the vacancy shall be filled in accordance with G.S. 120–122. All other vacancies shall be filled by the appointing official in the original manner.

(e) Frequency of Meetings. — The Trustees shall meet at least twice each year and may hold special meetings at the call of the Chair or a majority of the members.

(f) *Per Diem* and Expenses. — The Trustees shall receive *per diem* and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138–5. *Per diem*, subsistence, and travel expenses of the Trustees shall be paid from the Fund.

(g) Meeting Facilities. — The Secretary of the Department of Environment, Health, and Natural Resources shall provide meeting facilities for the Board of Trustees and its staff as requested by the Chair.

"§ 113–145.6. Clean Water Management Trust Fund Board of Trustees: powers and duties.

(a) Allocate Grant Funds. — The Trustees shall allocate moneys from the Fund as grants. A grant may be awarded only for a project or activity that satisfies the criteria and furthers the purposes of this Article.

(b) Develop Grant Criteria. — The Trustees shall develop criteria for awarding grants under this Article. The criteria developed shall include consideration of the following:

(1) The significant enhancement and conservation of water quality in the State.
(2) The objectives of the basinwide management plans for the State's river basins and watersheds.
(3) The promotion of regional integrated ecological networks insofar as they affect water quality.
(4) The specific areas targeted as being environmentally sensitive.
(5) The geographic distribution of funds as appropriate.
(6) The preservation of water resources with significant recreational or economic value and uses.
(7) The development of a network of riparian buffer–greenways bordering and connecting the State's waterways that will serve environmental, educational, and recreational uses.

(c) Develop Additional Guidelines. — The Trustees may develop guidelines in addition to the grant criteria consistent with and as necessary to implement this Article.

(d) Acquisition of Land. — The Trustees may acquire land by purchase, negotiation, gift, or devise. Any acquisition of land by the Trustees must be reviewed and approved by the Council of State and the deed for the land subject to approval of the Attorney General before the acquisition can become effective. In determining whether to acquire land as permitted by this Article, the Trustees shall consider whether the acquisition furthers the purposes of this Article and may also consider recommendations from the Council. Nothing in this section shall allow the Trustees to acquire land under the right of eminent domain.

(e) Exchange of Land. — The Trustees may exchange any land they acquire in carrying out the powers conferred on the Trustees by this Article.

(f) Land Management. — The Trustees may designate managers or managing agencies of the lands acquired under this Article.

(g) Tax Credit Certification. — The Trustees shall develop guidelines to determine whether land donated for a tax credit under G.S. 105–130.34 or G.S. 105–151.12 are suitable for one of the purposes under this Article and may be certified for a tax credit.

(h) Rule–making Authority.— The Trustees may adopt rules to implement this Article. Chapter 150B of the General Statutes applies to the adoption of rules by the Trustees.

"§ 113–145.7. Clean Water Management Trust Fund: Executive Director and staff.

The Clean Water Management Trust Fund Board of Trustees, as soon as practicable after its organization, shall select and appoint a competent person in accordance with this section as Executive Director of the Clean Water Management Trust Fund Board of Trustees. The Executive Director shall be charged with the supervision of all activities under the jurisdiction of the Trustees and shall serve as the chief administrative officer of the Trustees. Subject to the approval of the Trustees and the Director of the Budget, the Executive Director may employ such clerical and other assistants as may be deemed necessary.

The person selected as Executive Director shall have had training and experience in conservation, protection, and management of surface water resources. The salary of the Executive Director shall be fixed by the Trustees, and the Executive Director shall be allowed travel and subsistence expenses in accordance with G.S. 138–6. The Executive Director's salary and expenses shall be paid from the

Fund. The term of office of the Executive Director shall be at the pleasure of the Trustees.

"**§ 113-145.8. Clean Water Management Trust Fund: Advisory Council.**

There is established the Clean Water Management Trust Fund Advisory Council. The Council shall advise the Trustees with regard to allocations made from the Fund, and other issues as requested by the Trustees. The Council shall be composed of the following or its designees:

(1) Commissioner of Agriculture.

(2) Chair of the Wildlife Resources Commission.

(3) Secretary of the Department of Environment, Health, and Natural Resources.

(4) Secretary of the Department of Commerce."

(b) Article 1 of Chapter 143 of the General Statutes is amended by adding a new section to read:

"**§ 143-15.3B. The Clean Water Management Trust Fund.**

(a) The Clean Water Management Trust Fund is established in G.S. 113-145.3. The State Controller shall reserve to the Clean Water Management Trust Fund six and one-half percent (6.5%) of any unreserved credit balance remaining in the General Fund at the end of each fiscal year. As used in this section, the term 'unreserved credit balance' means the credit balance amount, as determined on a cash basis, before funds are reserved by the State Controller to the Savings Reserve Account, the Repairs and Renovations Reserve Account, or the Clean Water Management Trust Fund pursuant to this section, G.S. 143-15.3, and G.S. 143-15.3A.

(b) The funds in the Clean Water Management Trust Fund shall be used only in accordance with Article 13A of Chapter 113 of the General Statutes."

(c) The Chair of the Board of Trustees of the Clean Water Management Trust Fund shall report to the Environmental Review Commission beginning November 1, 1996, and annually thereafter on implementation of this section. A written copy of the report shall also be sent to the Fiscal Research Division of the General Assembly beginning November 1, 1996, and annually thereafter on implementation of this section.

(d) For the 1996-97 fiscal year only, of the funds reserved under G.S. 143-15.3B to the Clean Water Management Trust Fund, the State Controller shall transfer the sum of nine million two hundred thousand dollars ($9,200,000) to the Wetlands Restoration Fund to be used to implement the Wetlands Restoration Program. The 1997 General Assembly shall review and consider further funding needs of the Wetlands Restoration Program and the Wetlands Restoration Fund for the 1997-98 fiscal year and subsequent years.

(e) This section becomes effective June 30, 1996.

Requested by: Representatives Mitchell, Weatherly, Nichols,
Senators Martin of Pitt, Jordan, Kerr

STUDY GROUNDWATER IMPACTS OF LAGOONS

Sec. 27.7. Of the funds appropriated to the Department of Environment, Health, and Natural Resources in this act, the sum of three hundred seventy-five thousand dollars ($375,000) for the 1996-97 fiscal year shall be transferred to the Board of Governors of The University of North Carolina to be used by the North Carolina Agricultural Research Service at North Carolina State University to design and implement a scientifically based study for the purpose of determining the extent to which animal waste lagoons pose a threat, if any, to the

groundwater of the State. Lagoons that are representative of soil types and hydrologic conditions in North Carolina shall be selected for this study. No later than January 1, 1997, the Board of Governors of The University of North Carolina shall report to the Environmental Review Commission and the Fiscal Research Division on progress under the research, including any findings and recommendations at that time.

Requested by: Representatives Mitchell, Weatherly, Nichols,
Senators Martin of Pitt, Jordan, Kerr

LOWER NEUSE RIVER BASIN ASSOCIATION FUNDS

Sec. 27.8. (a) Of the funds appropriated by this act to the Lower Neuse River Basin Association for the 1996–97 fiscal year, the sum of two million dollars ($2,000,000) shall be allocated as grants to local government units in the Neuse River Basin to assist those local government units in fulfilling their obligations under the Neuse River Nutrient Sensitive Waters Management Strategy plan adopted by the Environmental Management Commission. The funds are contingent upon the adoption of the plan by the Environmental Management Commission. If the Environmental Management Commission fails to adopt the plan by June 30, 1997, then the funds shall revert to the General Fund.

(b) The Lower Neuse River Basin Association shall report by October 15, 1996, and quarterly thereafter to the Environmental Review Commission regarding the grants awarded and the effectiveness of the projects funded by those grants in reducing the pollution in the Neuse River Basin. The Lower Neuse River Basin Association shall also send a written copy of its report to the Fiscal Research Division of the General Assembly.

Requested by: Representatives Mitchell, Weatherly, Nichols,
Senators Martin of Pitt, Jordan, Kerr

STUDY OF ATMOSPHERIC DEPOSITION OF NITROGEN IN NEUSE ESTUARY

Sec. 27.9. (a) Of the funds appropriated to the Department of Environment, Health, and Natural Resources in this act, the sum of four hundred fifty thousand dollars ($450,000) for the 1996–97 fiscal year shall be transferred to the Board of Governors of The University of North Carolina for the North Carolina Agricultural Research Service at North Carolina State University to be used to contract with a research institution to research and perform computer modelling to identify the amount of atmospheric nitrogen reaching the Neuse estuary, to enable the development of strategies to reduce the most significant sources of nitrogen, and to improve water quality. If the expertise required for this research is available at a research institution in the State, the Board of Governors shall contract with a research institution in the State. No later than January 1, 1997, the Board of Governors shall report to the Environmental Review Commission and the Fiscal Research Division on progress under the research, including any findings and recommendations at that time.

(b) The Board of Governors of The University of North Carolina and the research institution with which it enters a contract shall collaborate and work cooperatively with the Department of Environment, Health, and Natural Resources in implementing subsection (a) of this section.

(c) Funds not expended or encumbered under subsection (a) of this section shall revert at the end of the 1997–98 fiscal year.

Requested by: Representatives Mitchell, Weatherly,
Senator Martin of Pitt

TRANSFER THE GEODETIC SURVEY SECTION TO THE OFFICE OF STATE PLANNING

Sec. 27.9A. The 22 positions, support, and equipment in the Geodetic Survey Section of the Division of Land Resources, Department of Environment, Health, and Natural Resources, shall be moved to the Office of State Planning in the Office of the Governor.

Requested by: Representatives Mitchell, Weatherly,
Senator Martin of Pitt

HAZARDOUS WASTE REPORTS

Sec. 27.10. Beginning in 1997, the Department of Environment, Health, and Natural Resources shall report on the generation, storage, treatment, and disposal of hazardous waste in North Carolina no more often than it is required to report under federal law or federal regulation.

Requested by: Representatives Mitchell, Weatherly,
Senator Martin of Pitt

DRINKING WATER WAIVER PROGRAM

Sec. 27.11. The Department of Environment, Health, and Natural Resources, Division of Environmental Health, shall establish a drinking water waiver program that will enable the Division to seek and qualify for additional waivers from the drinking water regulations of the United States Environmental Protection Agency. The program shall include, but not be limited to, the collection and study of data on the State's drinking water testing program to determine which contaminants do not present a significant health risk and which water systems are not susceptible to particular contaminants. The Division shall report its progress in establishing and implementing the drinking water waiver program not later than December 15, 1996, to the Fiscal Research Division, the Environmental Review Commission, and the Legislative Research Commission Study Committee on Water Issues.

Requested by: Representatives Mitchell, Weatherly, Tolson, Nichols, H. Hunter,
Senators Martin of Pitt, Kerr, Jordan

STUDY ENVIRONMENTAL IMPACTS OF ABANDONED LAGOONS/ANIMAL FACILITIES

Sec. 27.12. Of the funds appropriated to the Department of Environment, Health, and Natural Resources in this act, the sum of twenty–five thousand dollars ($25,000) for the 1996–97 fiscal year shall be placed in a reserve in the Department for the General Assembly for a legislative study commission to study the environmental impacts of animal waste lagoons and animal facilities that have been closed or abandoned or are inactive in order to determine the extent and scope of the problems, if any, associated with these structures, to identify potential solutions for any existing problems, to identify scientifically and environmentally effective methods of closure for these structures in the future, and to determine the advisability of providing incentives for the proper management of abandoned animal waste lagoons and abandoned animal facilities. No later than January 1, 1997, this study commission shall report to the 1997 General Assembly, the Environmental Review Commission, and the Fiscal Research Division on its findings, recommendations, and any legislative proposals.

Requested by: Representatives Mitchell, Weatherly, Nichols,
Senators Martin of Pitt, Jordan, Kerr

RESERVE FOR PERMITTING AND INSPECTING ANIMAL WASTE MANAGEMENT SYSTEMS

Sec. 27.13. (a) Of the funds appropriated in this act to the Department of Environment, Health, and Natural Resources, the sum of one million five hundred fifty thousand seven hundred sixty–six dollars ($1,550,766) shall be placed in a reserve to be used to establish and support positions to conduct permitting, inspection, and enforcement activities for animal waste management systems. These funds shall be used as follows:

(1) $704,473 in recurring funds shall be used to establish and support 14 positions in the Division of Soil and Water Conservation; and

(2) $846,293 in recurring funds shall be used to establish and support 18 positions in the Division of Water Quality.

When implementing this section, the Department shall cooperate with the Cooperative Extension Service, the Natural Resources Conservation Service of the United States Department of Agriculture, and the local Soil and Water Conservation Districts.

(b) No later than October 15, 1996, and quarterly thereafter, the Department of Environment, Health, and Natural Resources shall submit status reports to the Environmental Review Commission and the Fiscal Research Division. Each report shall include, but not be limited to:

(1) The number of permits for animal waste management systems, itemized by type of animal subject to such permits, issued since the last report and a total for that calendar year.

(2) The number of operations reviews of animal waste management systems that the Division of Soil and Water Conservation has conducted since the last report and a total for that calendar year.

(3) The number of reinspections associated with operations reviews conducted by the Division of Soil and Water Conservation since the last report and a total for that calendar year.

(4) The number of compliance inspections of animal waste management systems that the Division of Water Quality has conducted since the last report and a total for that calendar year.

(5) The number of follow–up inspections associated with compliance inspections conducted by the Division of Water Quality since the last report and a total for that calendar year.

(6) The average length of time for each category of reviews and inspections under subdivisions (2) through (4) of this subsection.

(7) The number of violations found during each category of review and inspection under subdivisions (2) through (4) of this subsection, the status of enforcement actions taken and pending, and the penalties imposed, collected, and in the process of being negotiated for each such violation.

(c) The information to be included in the reports pursuant to subsection (b) of this section shall be itemized by each regional office of the Department, with totals for the State indicated.

(d) Fees collected pursuant to G.S. 143–215.10G shall not be used by the department to cover the cost of this program, but shall be credited to the General Fund as nontax revenue.

Requested by: Representatives Mitchell, Weatherly, H. Hunter,
Senator Martin of Pitt

HEALTHY START FOUNDATION FUNDS

Sec. 27.14. Section 26.4 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 26.4. Of the funds appropriated in this act to the Department of Environment, Health, and Natural Resources, the sum of ~~two hundred~~ six hundred fifty thousand dollars ~~($200,000)~~ ($650,000) for the ~~1995-96~~ 1996-97 fiscal year shall be allocated to the North Carolina Healthy Start ~~Foundation to support the programs and activities of the Governor's Commission on Reduction of Infant Mortality.~~ Foundation. Funds allocated pursuant to this section shall be expended first to support statewide planning, promotion, and coordination for the First Step Campaign. Funds remaining after allocation for First Step shall be used to support other programs and ~~activities.~~ activities aimed at reducing infant mortality. The Healthy Start Foundation shall report on all of its programs to the Joint Legislative Commission on Governmental Operations on or before March 1, ~~1996.~~ 1997. The report shall include information on the Foundation's activities and accomplishments during the past fiscal year, a list of the groups, organizations, communities, and other recipients of assistance from the Foundation in the last 12 months, itemized expenditures during the past fiscal year with sources of funding, planned activities, and accomplishments for at least the next 12 months, and itemized anticipated expenditures with sources of funding for the next 12 months."

Requested by: Representatives Mitchell, Weatherly, Culpepper,
Senators Martin of Pitt, Jordan, Kerr

BEAVER DAMAGE CONTROL FUNDS

Sec. 27.15. (a) Subsection (b) of Section 69 of Chapter 1044 of the 1991 Session Laws, as amended by Section 111 of Chapter 561 of the 1993 Session Laws, Section 27.3 of Chapter 769 of the 1993 Session Laws, and Section 26.6 of Chapter 507 of the 1995 Session Laws, reads as rewritten:

"(b) The Beaver Damage Control Advisory Board shall develop a ~~pilot~~ program to control beaver damage on private and public lands. Anson, Bladen, Brunswick, Carteret, Chatham, Chowan, Craven, Columbus, Cumberland, Duplin, Edgecombe, Franklin, Granville, Greene, Halifax, Harnett, Hertford, Johnston, Jones, Lee, Lenoir, Lincoln, Martin, Nash, Onslow, Pamlico, Pender, Pitt, Robeson, Sampson, Scotland, Vance, Warren, Washington, Wayne, and Wilson Counties shall participate in the ~~pilot~~ program. The Beaver Damage Control Advisory Board shall act in an advisory capacity to the Wildlife Resources Commission in the implementation of the program. In developing the program, the Board shall:

(1) Orient the program primarily toward public health and safety and toward landowner assistance, providing some relief to landowners through beaver control and management rather than eradication;
(2) Develop a priority system for responding to complaints about beaver damage;
(3) Develop a system for documenting all activities associated with beaver damage control, so as to facilitate evaluation of the program;
(4) Provide educational activities as a part of the program, such as printed materials, on-site instructions, and local workshops;
(5) Provide for the hiring of personnel necessary to implement beaver damage control activities, administer the ~~pilot~~ program, and set salaries of personnel;

(6) Evaluate the costs and benefits of the program that might be applicable elsewhere in North Carolina.

No later than ~~September 30, 1994 and again upon the conclusion of the pilot program on June 30, 1996,~~ January 15, 1997, the Board shall issue a report to the Wildlife Resources Commission on the program to date, including recommendations on the feasibility of continuing the program in participating counties and the desirability of expanding the program into other counties. The Wildlife Resources Commission shall prepare a plan to implement a statewide program to control beaver damage on private and public lands. No later than ~~January 1, 1995,~~ March 15, 1997, the Wildlife Resources Commission shall present its plan in a report to the House Appropriations Subcommittee on Natural and Economic ~~Resources and~~ Resources, the Senate Appropriations Committee on Natural and Economic ~~Resources.~~ Resources, and the Fiscal Research Division."

(b) Subsection (c) of Section 69 of Chapter 1044 of the 1991 Session Laws reads as rewritten:

"(c) The Wildlife Resources Commission shall implement the ~~pilot~~ program, and may enter a cooperative agreement with the Animal Damage Control Division of the Animal and Plant Health Inspection Service, United States Department of Agriculture, to accomplish the ~~pilot~~ program."

(c) Subsection (h) of Section 69 of Chapter 1044 of the 1991 Session Laws, as amended by Section 111 of Chapter 561 of the 1993 Session Laws, Section 27.3 of Chapter 769 of the 1993 Session Laws, and Section 26.6 of Chapter 507 of the 1995 Session Laws, reads as rewritten:

"(h) Subsections (a) through (d) of this section expire June 30, ~~1996.~~ 1997."

(d) Subsection (d) of Section 26.6 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"(d) Of the funds appropriated from the General Fund to the Wildlife Resources Commission for the 1995–96 fiscal ~~year,~~ year and the 1996–97 fiscal year, there is allocated the sum of three hundred seventy–two thousand six hundred ninety dollars ($372,690) for the 1995–96 fiscal year and the sum of four hundred fifty thousand dollars ($450,000) for the 1996–97 fiscal year to provide the State share necessary to continue the beaver damage control ~~pilot~~ program established by Section 69 of Chapter 1044 of the 1991 Session Laws, as amended by Section 111 of Chapter 561 of the 1993 Session Laws and Section 27.3 of the 1993 Session Laws, in Anson, Bladen, Brunswick, Carteret, Chatham, Chowan, Craven, Columbus, Cumberland, Duplin, Edgecombe, Franklin, Granville, Greene, Halifax, Harnett, Hertford, Johnston, Jones, Lee, Lenoir, Lincoln, Martin, Nash, Onslow, Pamlico, Pender, Pitt, Robeson, Sampson, Scotland, Vance, Warren, Washington, Wayne, and Wilson Counties, provided the sum of twenty–five thousand dollars ($25,000) in federal funds is available in each fiscal year to provide the federal share. These funds shall be matched by four thousand dollars ($4,000) of local funds in each fiscal year from each of the ~~27~~ participating counties. Counties participating in this program shall make a commitment of their local matching funds to the Wildlife Resources Commission no later than September 30 of that fiscal year."

Requested by: Representatives Mitchell, Weatherly,
Senator Martin of Pitt

1995–96 BEAVER DAMAGE CONTROL FUNDS REVERT

Sec. 27.16. (a) The sum of one hundred fifty thousand dollars ($150,000) that was appropriated to the Wildlife Resources Commission for the 1995–96 fiscal

year to provide the State share for beaver damage control pursuant to Section 27.3 of Chapter 769 of the 1993 Session Laws and that was designated as recurring funds shall revert to the General Fund on June 30, 1996.

(b) This section is effective June 30, 1996.

Requested by: Senators Martin of Pitt, Jordan, Kerr,
Representatives Mitchell, Weatherly

PILOT PRIVATIZATION PROJECT FOR CONSTRUCTION OF FORESTRY BUILDINGS

Sec. 27.18. Of the funds appropriated in this act to the Department of Environment, Health, and Natural Resources, the sum of one hundred fifty thousand dollars ($150,000) for the 1996–97 fiscal year shall be placed in a reserve within the Department, and the Department shall, as part of a pilot project, enter into a contract with a county to construct a forestry headquarters building in that county. The contract shall provide: that the county may contract with a private for–profit or nonprofit firm for the construction of a building at least 2,300 square feet in size to consist of, at a minimum, a storage unit and an office area and to include a surfaced driveway and parking area and utility services; that the county shall submit the design plans and specifications to the Department of Insurance, the Office of State Construction, and the Secretary of Environment, Health, and Natural Resources for review and approval; that the State shall not lease any State–owned land to the county for the building prior to the Department of Insurance, the Office of State Construction, and the Secretary of Environment, Health, and Natural Resources approving the design plans and specifications; that the Department of Insurance, the Office of State Construction, and the Secretary of Environment, Health, and Natural Resources shall inspect and review the project during construction and at the completion of construction to ensure that the building is suitable for its intended use and to determine whether the building is suitable for acquisition by the State; that the Department shall not reimburse the county from the reserve until the Department of Insurance, the Office of State Construction, and the Secretary of Environment, Health, and Natural Resources determine that the building is suitable for acquisition by the State; that the State shall lease to the county any land the State owns that is needed for siting the building and its appurtenances, and, prior to the Department reimbursing the county from the reserve, the county shall transfer to the State for no additional consideration such property, the building, and its appurtenances; and that, prior to the Department reimbursing the county from the reserve, the county shall transfer to the State for no additional consideration any land the county owns that is needed for siting the building and its appurtenances, the building, and its appurtenances. It is the intent of the General Assembly that the General Assembly shall not appropriate additional funds for this pilot project and that the county in which the forestry headquarters building is to be located shall be responsible for all costs in excess of one hundred fifty thousand dollars ($150,000), including those costs related to the county purchasing any new land necessary for siting the building and its appurtenances and those costs related to constructing and equipping this building and its appurtenances. No later than December 15, 1996, and again no later than April 15, 1997, the Department shall report to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division on the progress of this pilot project and shall include in both reports the Department's findings and recommendations on the desirability and feasibility of expanding this project to the construction of forestry buildings in other counties.

Requested by: Representatives Mitchell, Weatherly,
Senator Martin of Pitt

FOREST RESOURCES NURSERY PROGRAM FUNDS

Sec. 27.18. The Division of Forest Resources, Department of Environment, Health, and Natural Resources, may retain and use any funds derived from the taking of nursery acreage at Claridge State Forest Nursery near Goldsboro in Wayne County due to the construction of the Highway 70 Bypass. These funds shall remain in a nonreverting fund in the Department to be used to cover the cost associated with relocating nursery fields and seed orchards.

Requested by: Representatives Mitchell, Weatherly, Reynolds,
Allred, Sexton, Baker,
Senators Martin of Pitt, Jordan, Kerr

MULTI-COUNTY WATER CONSERVATION AND INFRASTRUCTURE DISTRICT

Sec. 24.22. (a) G.S. 158-15.1 reads as rewritten:

"**§ 158-15.1. Multi-County Water Conservation and Infrastructure District.**

(a) There is established the Multi-County Water Conservation and Infrastructure District, which is a public authority for the purpose of the Local Government Budget and Fiscal Control Act.

(b) The member counties of the Multi-County Water Conservation and Infrastructure District are Bertie, Caswell, Forsyth, Granville, Guilford, Halifax, Martin, Northampton, Person, Rockingham, Stokes, Surry, ~~Vance~~ Vance, ~~and~~ Warren, and Washington.

(c) The governing body of the Multi-County Water Conservation and Infrastructure District is the Multi-County Water ~~Commission, which has eight members.~~ Commission. One member of this Commission shall be appointed for a three-year term by the board of commissioners of each member ~~county for a three-year term.~~ county.

(d) All monies received by the State of North Carolina for sale of water under the Roanoke River Basin Compact, if enacted, shall be paid to the Multi-County Water Conservation and Infrastructure District.

(e) The District may accept for any of its purposes and functions any and all donations, grants of money, equipment, supplies, materials and services (conditional or otherwise) from any state or the United States or any subdivision or agency thereof, or interstate agency, or from any political subdivision of this State or any other state, or from any institution, person, firm or corporation, and may receive, utilize and dispose of the same. The nature, amount and condition, if any, attendant upon any donation or grant accepted pursuant to this subsection together with the identity of the donor or grantor, shall be detailed in the annual audit of the District.

(f) At times specified by the Multi-County Water Commission, net revenues after operating expenses of the District shall be paid only to ~~the member counties~~ Bertie, Granville, Halifax, Martin, Northampton, Person, Vance, and Warren Counties according to the following formula: (i) one-half pro-rata based on population of each member county; and (ii) one-half pro-rata based on land area of each county. The remaining member counties shall receive none of the net revenues received pursuant to subsection (d) of this section.

(g) Member counties may use funds received under this section for public purposes relating to infrastructure development, economic development, and water conservation.

(h) The Commission may adopt such rules as may be needful for operation of its affairs, and shall employ and terminate personnel as if it were a county."

(b) Notwithstanding G.S. 158–15.1 as amended by subsection (a) of this section, of the funds appropriated to the Department of Environment, Health, and Natural Resources in Section 26.12 of Chapter 507 of the 1995 Session Laws for the 1996–97 fiscal year for the member counties of the Multi–County Water Conservation and Infrastructure District, the sum of five hundred thousand dollars ($500,000) shall be allocated among Bertie, Granville, Halifax, Martin, Northampton, Person, Vance, and Warren Counties based on the following formula: (i) one–half pro–rata based on population of each member county; and (ii) one–half pro–rata based on land area of each county.

(c) Notwithstanding G.S. 158–15.1 as amended by subsection (a) of this section, of the funds appropriated in this act to the Department of Environment, Health, and Natural Resources for the 1996–97 fiscal year for the member counties of the Multi–County Water Conservation and Infrastructure District, the sum of one million dollars ($1,000,000) shall be allocated among Caswell, Forsyth, Guilford, Rockingham, Stokes, Surry, and Washington Counties based on the percentage of each member county's land area within that part of the Roanoke River Basin that is located in North Carolina.

Requested by: Senators Perdue, Martin of Pitt, Jordan, Kerr,
Representatives Mitchell, Weatherly

MARINE FISHERIES DOCK MAY BE USED BY OTHER AGENCIES

Sec. 27.21. The Division of Marine Fisheries' Morehead City Dock Facility shall be available for use by the University of North Carolina Institute of Marine Sciences, the North Carolina Sea Grant College Program, and Carteret Community College for their programs and activities.

Requested by: Representatives Mitchell, Weatherly,
Senator Martin of Pitt, Jordan, Kerr

ACCOUNTABILITY FOR CERTAIN STATE AGRICULTURE COST SHARE FUNDING

Sec. 27.22. (a) G.S. 143–215.74(b) reads as rewritten:

"(b) The program shall be subject to the following requirements and limitations:

(1) The purpose of the program shall be to reduce the input of agricultural nonpoint source pollution into the water courses of the State.

(2) The program shall initially include the present 16 nutrient sensitive watershed counties and 17 additional counties.

(3) ~~Priority~~ Subject to subdivision (7) of this subsection, priority designations for inclusions in the program shall be under the authority of the Soil and Water Conservation Commission and the Commission. The Soil and Water Conservation Commission shall retain the authority to allocate the cost share funds.

(4) Areas shall be included in the program as the funds are appropriated and the technical assistance becomes available from the local Soil and Water Conservation District.

(5) Funding may be provided to assist practices including conservation tillage, diversions, filter strips, field borders, critical area plantings, sediment control structures, sod–based rotations, grassed waterways, strip–cropping, terraces, cropland conversion to permanent vegetation, grade control structures, water control structures, closure of lagoons, emergency spillways, riparian buffers or equivalent controls,

odor control best management practices, insect control best management practices, and animal waste management systems and application. Funding for animal waste management shall be allocated for practices in river basins such that the funds will have the greatest impact in improving water quality.

(6) State funding shall be limited to seventy–five percent (75%) of the average cost for each practice with the assisted farmer providing twenty–five percent (25%) of the cost (which may include in–kind support) with a maximum of seventy–five thousand dollars ($75,000) per year to each applicant.

(7) Priority designation for inclusion in the program for State funding shall be given to projects that improve water quality. To be eligible for cost share funds under this subdivision, a project shall be evaluated before funding is awarded and after the project is completed to determine the impact on water quality."

(b) G.S. 143–215.74 is amended by adding a new subsection to read:

"(e) The Soil and Water Conservation Commission shall report no later than January 31, 1997, and annually thereafter to the Environmental Review Commission and the Fiscal Research Division. This report shall include a list of projects that received State funding pursuant to the program, the results of the evaluations conducted pursuant to subdivision (7) of subsection (b) of this section, findings regarding the effectiveness of each of these projects to accomplish its primary purpose, and any recommendations to assure that State funding is used in the most cost–effective manner and accomplishes the greatest improvement in water quality."

(c) The Division of Soil and Water Conservation, Department of Environment, Health, and Natural Resources, shall report to the Environmental Review Commission no later than January 1, 1997, regarding the desirability of requiring each applicant for State funding under the Agriculture Cost Share Program for Nonpoint Source Pollution Control under Part 9 of Article 21 of Chapter 143 of the General Statutes to submit a nutrient management plan.

(d) This section applies to contracts entered into on or after ratification of this act.

Requested by: Representatives Holmes, Creech, Esposito, Senator Martin of Pitt

PROHIBIT TRANSFER OF POSITIONS FROM SOIL AND WATER CONSERVATION TO WATER QUALITY

Sec. 27.23. The Department of Environment, Health, and Natural Resources shall not transfer any positions established in this act for the Division of Soil and Water Conservation to the Division of Water Quality.

Requested by: Senators Martin of Pitt, Jordan, Kerr, Representatives Mitchell, Weatherly

ADOPT–A–BEACH

Sec. 27.24. (a) Chapter 143 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 69.

"Adopt–A–Beach Program.

"**§ 143–660. Definitions.**

The following definitions apply in this Article:

(1) Department. — The Department of Environment, Health, and Natural

Resources.

(2) Program. — Adopt-A-Beach Program established by this Article.

(3) Trash. — Debris not natural to the coastal environment such as plastic bags, aluminum, glass, and paper products. The term does not include indigenous materials such as driftwood and seaweed.

"**§ 143-661. Adopt-A-Beach Program; established; purposes.**

The Adopt-A-Beach Program is established within the Department of Environment, Health, and Natural Resources. The purpose of the Program is twofold: (i) to educate citizens and make them more aware of the need to keep the State's coastline clean and free of trash, and (ii) to generate data on the volume and contents of beach pollution.

"**§ 143-662. Adopt-A-Beach Program; pilot program; expansion of program reporting requirement.**

(a) Initially, the Department shall select five improved ocean accesses and two sound-side accesses to be cleaned up and maintained on a monthly basis. Each access shall be assigned by the Department to an organization or business applying to the Department to participate in the Program. Participants in the Program shall be recognized at their selected access by the placement of an 8"x10" sign bearing the Adopt-A-Beach Program name, sponsor, and participant. The Program shall be expanded to accommodate increased participation as appropriate.

(b) The Department shall report to the Environmental Review Commission by March 15, 1997, and annually thereafter regarding its progress in implementing the Program.

"**§ 143-663. Rule-making authority.**

The Department may adopt rules to implement this Article."

(b) Of the funds appropriated by this act for the 1996-97 fiscal year to the Department of Environment, Health, and Natural Resources, the sum of thirty thousand dollars ($30,000) shall be allocated to implement this section.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Martin of Pitt, Jordan, Kerr

WATER RESOURCES DEVELOPMENT PROJECTS FUNDS

Sec. 27.26. (a) Of the funds designated in Section 7.11 of this act to the Department of Environment, Health, and Natural Resources for the 1996-97 fiscal year for capital projects, the sum of eight million seven hundred five thousand dollars ($8,705,000) shall be used for water resources development projects. The Department shall allocate funds for the following projects whose estimated costs are as indicated:

(1)	Jordan Lake Water Supply Repayment	$130,000
(2)	Wilmington Harbor Maintenance Dredging	575,000
(3)	Morehead City Harbor Maintenance Dredging	50,000
(4)	Wanchese Channel Maintenance Dredging	100,000
(5)	Aquatic Plant Control (statewide, including Lake Gaston)	200,000
(6)	Wilmington Harbor Anchorage Basin Widener	400,000
(7)	Cape Fear - Northeast Cape Fear Deepening	530,000
(8)	North & Manteo Channel Maintenance Dredging	400,000
(9)	State - Local Projects	380,000
(10)	New Hanover County Spoil Disposal	125,000
(11)	Beaufort Harbor	80,000

(12)	Rollinson Channel Maintenance, Dare County	400,000
(13)	Far Creek Channel Maintenance, Hyde County	280,000
(14)	Currituck Sound Flow Study	100,000
(15)	Emergency Flood Control Projects (Section 14)	75,000
(16)	Corps of Engineers Feasibility Studies	100,000
(17)	Planning Assistance to Communities	75,000
(18)	Walter Slough Dredging	500,000
(19)	Whittaker Creek Canal Dredging	425,000
(20)	Carolina Beach South (Kure Beach) Beach Protection	3,580,000
(21)	Dare County Beaches Feasibility Study	200,000
	TOTAL	$8,705,000

(b) Where the actual costs are different from the estimated costs under subsection (a) of this section, the Department may adjust the allocations among projects as needed. If any projects listed in subsection (a) of this section are delayed and the budgeted State funds cannot be used during the 1996–97 fiscal year, or if the projects listed in subsection (a) of this section are accomplished at a lower cost, the Department may use the resulting fund availability to fund any of the following:

(1) Corps of Engineers project feasibility studies.

(2) Corps of Engineers projects whose schedules have advanced and require State matching funds in fiscal year 1996–97.

(3) State–local Water Resources Development Projects.

Funds not expended or encumbered for these purposes shall revert to the General Fund at the end of the 1997–98 fiscal year.

(c) The Department shall make quarterly reports on the use of these funds to the Joint Legislative Commission on Governmental Operations, the Fiscal Research Division, and the Office of State Budget and Management. Each report shall include all of the following:

(1) All projects listed in this section.

(2) The estimated cost of each project.

(3) The date that work on each project began or is expected to begin.

(4) The date that work on each project was completed or is expected to be completed.

(5) The actual cost of each project.

The quarterly reports shall also show those projects advanced in schedule, those projects delayed in schedule, and an estimate of the amount of funds expected to revert to the General Fund.

Requested by: Senators Martin of Pitt, Jordan, Kerr,
Representatives Mitchell, Weatherly

STRAIGHT PIPE ELIMINATION AMNESTY PROGRAM

Sec. 27.26. (a) The Department of Environment, Health, and Natural Resources shall establish a program for the elimination of domestic sewage or wastewater discharges, both direct (straight pipes) and from overland flow of failing septic systems. The initial focus of the program shall include three components: (i) the identification and elimination of domestic sewage discharges into streams proposed to be used or currently used for public water supplies, (ii) an amnesty period to end December 31, 1997, during which violations of State rules and laws regarding domestic sewage and wastewater discharges identified as a result of this program may be reported and addressed without incurring legal consequences, and (iii) a

public education effort regarding the program and the amnesty period.

(b) Of the funds appropriated in this act to the Department of Environment, Health, and Natural Resources, the sum of one hundred seventeen thousand five hundred dollars ($117,500) in recurring funds and the sum of twelve thousand five hundred dollars ($12,500) in nonrecurring funds shall be allocated for two staff positions with the responsibility for carrying out the program developed by the Department of Environment, Health, and Natural Resources pursuant to this section and for other operating costs of implementing this section.

(c) The Department of Environment, Health, and Natural Resources shall report to the Environmental Review Commission and the Fiscal Research Division beginning October 15, 1996, and quarterly thereafter, regarding the implementation of this program.

Requested by: Senators Martin of Pitt, Jordan, Kerr,
Representatives Mitchell, Weatherly

ABOVEGROUND STORAGE TANKS INSPECTION AND MONITORING

Sec. 27.30. (a) Of the funds appropriated to the Department of Environment, Health, and Natural Resources in this act for the 1996–97 fiscal year, the sum of two hundred thousand dollars ($200,000) shall be used to continue to conduct periodic inspections at major oil terminal facilities, as defined in G.S. 143–215.77, in Mecklenburg County and the equipment at these facilities to determine whether oil or any other hazardous substance is being discharged into the environment and, at the facility and in the area surrounding the facility, to monitor the quality of the air, water, and soil and analyze air, water, and soil samples to determine the presence of toxic emissions, water quality degradation, or soil contamination.

(b) Beginning October 1, 1996, and quarterly thereafter, the Department of Environment, Health, and Natural Resources shall submit a report of its inspection and monitoring activities pursuant to subsection (a) of this section to the Environmental Review Commission.

Requested by: Senators Martin of Pitt, Jordan, Kerr;
Representatives Mitchell, Weatherly, Redwine

WASTEWATER SYSTEM IMPROVEMENT PERMITS

Sec. 27.31. (a) G.S. 130A–334(7b) reads as rewritten:

"(7b) 'Plat' means a property survey prepared by a registered land surveyor, drawn to a scale of one inch equals no more than 60 feet, that includes: the specific location of the proposed facility and appurtenances, the site for the proposed wastewater system, and the location of water supplies and surface waters. 'Plat' also means, for subdivision lots approved by the local planning authority and recorded with the county register of deeds, a copy of the recorded subdivision plat that is accompanied by a site plan that is drawn to scale."

(b) G.S. 130A–334(13a) reads as rewritten:

"(13a) 'Site plan' means a drawing not necessarily drawn to scale that shows the existing and proposed property lines with dimensions, the location of the facility and appurtenances, the site for the proposed wastewater system, and the location of water supplies and surface waters."

(c) G.S. 130A–335(f) reads as rewritten:

"(f) The rules of the Commission and the rules of the local board of health shall classify systems of wastewater collection, treatment and disposal according to

size, type of treatment and any other appropriate factors. The rules shall provide construction requirements, including pretreatment and system control requirements, standards for operation, maintenance, monitoring, reporting, and ownership requirements for each classification of systems of wastewater collection, treatment and disposal in order to prevent, as far as reasonably possible, any contamination of the land, groundwater and surface waters. The Department and local health departments may impose conditions on the issuance of permits and may revoke the permits for failure of the system to satisfy the conditions, the rules or this Article. Permits other than improvement permits shall be valid for a period prescribed by rule. Improvement permits shall be valid upon a showing satisfactory to the Department or the local health department that the site and soil conditions are unaltered, that the facility, design wastewater flow, and wastewater characteristics are not increased, and that a wastewater system can be installed that meets the permitting requirements in effect on the date the improvement permit was issued. Improvement permits for which a plat is provided shall be valid without expiration. Improvement permits for which a site plan is provided shall be valid for five years. ~~A statement~~ The period of time for which the permit is valid and a statement that the permit is subject to revocation if the site plan or plat, whichever is applicable, or the intended use changes shall be displayed prominently on both the application form for the permit and the ~~permit that states that the permit is subject to revocation if site plans or the intended use change.~~ permit."

(d) G.S. 130A-336(a) reads as rewritten:

"(a) Any proposed site for a residence, place of business, or place of public assembly in an area not served by an approved wastewater system shall be evaluated by the local health department in accordance with rules adopted pursuant to this Article. An improvement permit shall be issued in compliance with the rules adopted pursuant to this Article. An improvement permit shall include:

(1) For permits that are valid without expiration, a plat or, for permits that are valid for five years, a site plan.
(2) A description of the facility the proposed site is to serve.
(3) The proposed wastewater ~~system.~~ system and its location.
(4) The conditions for any site modifications.
(5) Any other information required by the rules of the Commission.

The improvement permit shall not be affected by change in ownership of the site for the wastewater system provided both the site for the wastewater system and the facility the system serves are unchanged and remain under the ownership or control of the person owning the facility. No person shall commence or assist in the construction, location, or relocation of a residence, place of business, or place of public assembly in an area not served by an approved wastewater system unless an improvement permit and an authorization for wastewater system construction are obtained from the local health department. This requirement shall not apply to a manufactured residence exhibited for sale or stored for later sale and intended to be located at another site after sale."

(e) G.S. 130A-336(b) reads as rewritten:

"(b) The local health department shall issue an authorization for wastewater system construction authorizing work to proceed and the installation or repair of a wastewater system when it has determined after a field investigation that the system can be installed and operated in compliance with this Article and rules adopted pursuant to this Article. This authorization for wastewater system construction shall be valid for a period ~~of five years~~ equal to the period of validity of the improvement permit, not to exceed five years, and may be issued at the

same time the improvement permit is issued. No person shall commence or assist in the installation, construction, or repair of a wastewater system unless an improvement permit and an authorization for wastewater system construction have been obtained from the Department or the local health department. No improvement permit or authorization for wastewater system construction shall be required for maintenance of a wastewater system. The Department and the local health department may impose conditions on the issuance of an improvement permit and an authorization for wastewater system construction."

(f) G.S. 130A-336 is amended by adding a new subsection to read:

"(d) If a local health department repeatedly fails to issue or deny improvement permits for conventional septic tank systems within 60 days of receiving completed applications for the permits, then the Department of Environment, Health, and Natural Resources may withhold public health funding from that local health department."

(g) This section becomes effective upon the ratification date of this act and applies to all applications for permits filed on or after that date.

Requested by: Senators Martin of Pitt, Jordan, Kerr;
Representatives Mitchell, Weatherly

ENVIRONMENTAL REPORTS

Sec. 27.32. (a) The Department of Environment, Health, and Natural Resources shall report to the Environmental Review Commission, the Joint Legislative Commission on Governmental Operations, the Scientific Advisory Council on Water Resources and Coastal Fisheries Management, and the Fiscal Research Division on January 1, 1997, and July 1, 1997, on:

(1) Actions taken to reorganize the Department to make the Department operate more efficiently and effectively.
(2) Actions taken by the Environmental Management Commission, the Coastal Resources Commission, and the Marine Fisheries Commission to enhance communication, and to develop a strategic plan to coordinate and consolidate activities.
(3) Progress made to implement initiatives to protect and restore impaired water quality in the Neuse River Basin and in nutrient sensitive waters including a report on implementation of the animal waste management system permits.

(b) The Primary Investigator or Researcher receiving funding from the State shall report to the Environmental Review Commission, the Joint Legislative Commission on Governmental Operations, the Scientific Advisory Council on Water Resources and Coastal Fisheries Management, and the Fiscal Research Division on January 1, 1997, and July 1, 1997, on preliminary and final results of research projects and studies on:

(1) Odor control technology;
(2) Sources of nitrogen through isotope markers;
(3) Groundwater impacts of lagoons;
(4) Atmospheric deposition of nitrogen in the Neuse Estuary; and
(5) Alternative animal waste technologies.

Requested by: Senators Perdue, Martin of Pitt, Jordan, Kerr,
Representatives Mitchell, Weatherly

CORE SOUND/DESCRIPTION OF AREA A FOR SHELLFISH LEASE MORATORIUM.

Sec. 27.33. Section 3 of Chapter 547 of the 1995 Session Laws (1996

Regular Session) as amended by Section 1 of Chapter 633 of the 1995 Session Laws (1996 Regular Session) reads as rewritten:

"Sec. 3. Notwithstanding G.S. 113–202, a moratorium on new shellfish cultivation leases shall be imposed in the remaining area of Core Sound not described in Section 1 of this act. During the moratorium, a comprehensive study of the shellfish lease program shall be conducted. The moratorium established under this section covers that part of Core Sound bounded by a line beginning at a point on Cedar Island at 35°0'39"N – 76°17'48"W, thence 109°(M) to a point in Core Sound 35°0'00"N – 76°12'42"W, thence 229°(M) to Marker No. 37 located 0.9 miles off Bells Point at 34°43'30"N – 76°29'00"W, thence 207°(M) to the Cape Lookout Lighthouse at 34°37'24"N – 76°31'30"W, thence 12°(M) to a point at Marshallberg at 34°43'07"N – 76°31'12"W, thence following the shoreline in a northerly direction to the point of beginning except that the highway bridges at Salters Creek, Thorofare Bay, and the Rumley Bay ditch shall be considered shoreline. The moratorium shall expire July 1, 1997."

Requested by: Senators Martin of Pitt, Jordan, Kerr,
Representatives Mitchell, Weatherly

ENVIRONMENTAL TECHNICAL CORRECTIONS

Sec. 27.34. (a) G.S. 143–215.10A, as enacted by Chapter 626 of the 1995 Session Laws (1996 Reg. Sess.), reads as rewritten:

"**§ 143–215.10A. Legislative findings and intent.**

The General Assembly finds that animal operations provide significant economic and other benefits to this State. The growth of animal operations in recent years has increased the importance of good animal waste management practices to protect water quality. It is critical that the State balance growth with prudent environmental safeguards. It is the intention of the State to promote a cooperative and coordinated approach to animal waste management among the agencies of the State with a primary emphasis on technical assistance to farmers. To this end, the General Assembly intends to establish a permitting program for animal waste management systems that will protect water quality and promote innovative systems and practices while minimizing the regulatory burden. Technical assistance, through operations reviews, will be provided by the Division of Soil and Water Conservation. Permitting, inspection, and enforcement will be vested in the Division of ~~Environmental Management.~~ Water Quality."

(b) G.S. 143–215.10B(4), as enacted by Chapter 626 of the 1995 Session Laws (1996 Reg. Sess.), reads as rewritten:

"(4) 'Division' means the Division of ~~Environmental Management~~ Water Quality of the Department."

(c) G.S. 90A–47.3(b), as enacted by Chapter 626 of the 1995 Session Laws (1996 Reg. Sess.), reads as rewritten:

"(b) The Commission, in cooperation with the Division of ~~Environmental Management~~ Water Quality of the Department of Environment, Health, and Natural Resources, and the Cooperative Extension Service, shall develop and administer a training program for animal waste management system operators in charge. An applicant for initial certification shall complete 10 hours of classroom instruction prior to taking the examination. In order to remain certified, an animal waste management system operator in charge shall complete six hours of approved additional training during each three–year period following initial certification. A certified animal waste management system operator in charge who fails to complete approved additional training within 30 days of the end of the three–year

period shall take and pass the examination for certification in order to renew the certificate."

(d) G.S. 106–805(5), as enacted by Chapter 626 of the 1995 Session Laws (1996 Reg. Sess.), reads as rewritten:

"(5) Information informing the adjoining property owners and the property owners who own property located across a public road, street, or highway from the swine farm that they may submit written comments to the Division of ~~Environmental Management,~~ Water Quality, Department of Environment, Health, and Natural Resources."

(e) Subsection (b) of Section 17 of Chapter 626 of the 1995 Session Laws (1996 Reg. Sess.) reads as rewritten:

"(b) The interagency group shall consist of two representatives from each of the following State agencies: the Division of Soil and Water Conservation, Department of Environment, Health, and Natural Resources; the Division of ~~Environmental Management,~~ Water Quality, Department of Environment, Health, and Natural Resources; the Department of Agriculture; and the Cooperative Extension Service. The General Assembly encourages the Natural Resources Conservation Service, United States Department of Agriculture, to provide two representatives from its agency to participate fully as members of the interagency group. The interagency group shall remain in existence until such time after December 31, 1997, that the Secretary of Environment, Health, and Natural Resources determines the interagency group is no longer needed to resolve issues related to certifying animal waste management plans."

(f) Section 18 of Chapter 743 of the 1995 Session Laws (1996 Reg. Sess.) reads as rewritten:

"Sec. 18. G.S. ~~143–215.114(g)~~ 143–215.114A(g) is repealed."

(g) This section becomes effective 1 July 1996.

Requested by: Representatives Mitchell, Weatherly, Nichols,
Senators Martin of Pitt, Jordan, Kerr

STUDY ALTERNATIVE ANIMAL WASTE TECHNOLOGIES

Sec. 27.35. Of the funds appropriated to the Department of Environment, Health, and Natural Resources in this act, the sum of five hundred thousand dollars ($500,000) for the 1996–97 fiscal year shall be transferred to the Board of Governors of The University of North Carolina for the North Carolina Agricultural Research Service at North Carolina State University to serve as focal points for experimentation with and testing of alternative animal waste disposal technologies for use in agriculture. No later than January 1, 1997, the Board of Governors shall report to the Environmental Review Commission and the Fiscal Research Division on progress under the research, including any findings and recommendations at that time.

Requested by: Senators Plyler, Perdue, Odom,
Representatives Holmes, Creech, Esposito

ENSURE LEGISLATIVE REVIEW OF CERTAIN RULES

Sec. 27.36. G.S. 150B–21.3(c) does not apply to a rule that extends the date set in 15A NCAC 13B .1627(c)(10)(A) for closure of a municipal solid waste landfill facility beyond January 1, 2000.

Requested by: Senators Martin of Pitt, Odom, Jordan, Kerr,
Representatives Mitchell, Weatherly

OPERATION OF PERMIT INFORMATION CENTER

Sec. 27.37. The Department of Environment, Health, and Natural

Resources may operate the Permit Information Center in order to improve permit applications, guidance materials, applicant and citizen training, and other purposes.

PART 28. SALARIES AND BENEFITS

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

GOVERNOR AND COUNCIL OF STATE

Sec. 28. (a) Effective September 1, 1996, G.S. 147–11(a) reads as rewritten:

"(a) The salary of the Governor shall be ~~ninety-eight thousand five hundred seventy-six dollars ($98,576)~~ one hundred three thousand twelve dollars ($103,012) annually, payable monthly."

(b) Effective September 1, 1996, Section 7.1(b) of Chapter 507 of the 1995 Session Laws reads as rewritten:

"(b) The annual salaries for the members of the Council of State, payable monthly, for the ~~1995–96 and~~ 1996–97 fiscal ~~years~~ year, beginning September 1, 1996, are:

Council of State	Annual Salary	
Lieutenant Governor	~~$87,000~~	$90,915
Attorney General	~~87,000~~	90,915
Secretary of State	~~87,000~~	90,915
State Treasurer	~~87,000~~	90,915
State Auditor	~~87,000~~	90,915
Superintendent of Public Instruction	~~87,000~~	90,915
Agriculture Commissioner	~~87,000~~	90,915
Insurance Commissioner	~~87,000~~	90,915
Labor Commissioner	~~87,000~~	90,915"

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

NONELECTED DEPARTMENT HEADS

Sec. 28.1. Effective September 1, 1996, Section 7.2 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 7.2. In accordance with G.S. 143B–9, the maximum annual salaries, payable monthly, for the nonelected heads of the principal State departments for the ~~1995–96 and~~ 1996–97 fiscal ~~years~~ year, beginning September 1, 1996, are:

Nonelected Department Heads	Annual Salary	
Secretary of Administration	~~$85,000~~	$88,825
Secretary of Correction	~~85,000~~	88,825
Secretary of Cultural Resources	~~85,000~~	88,825
Secretary of Commerce	~~85,000~~	88,825
Secretary of Environment, Health, and Natural Resources	~~85,000~~	88,825
Secretary of Human Resources	~~85,000~~	88,825
Secretary of Revenue	~~85,000~~	88,825
Secretary of Transportation	~~85,000~~	88,825
Secretary of Crime Control and Public Safety	~~85,000~~	88,825"

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

CERTAIN EXECUTIVE BRANCH OFFICIALS

Sec. 28.2. (a) Effective September 1, 1996, Section 7.3 of Chapter 507 of

the 1995 Session Laws reads as rewritten:

"Sec. 7.3. The annual salaries, payable monthly, for the ~~1995–96 and~~ 1996–97 fiscal ~~years~~ year, beginning September 1, 1996, for the following executive branch officials are:

Executive Branch Officials	Annual Salary	
Chairman, Alcoholic Beverage Control Commission	~~$ 77,365~~	$80,846
State Controller	~~108,271~~	113,143
Commissioner of Motor Vehicles	~~77,365~~	80,846
Commissioner of Banks	~~77,365~~	80,846
~~Chairman, Employment Security Commission~~		~~77,365~~
State Personnel Director	~~85,000~~	88,825
Chairman, Parole Commission	~~70,643~~	73,822
Members of the Parole Commission	~~65,220~~	68,155
Chairman, Industrial Commission	~~69,510~~	72,638
Members of the Industrial Commission	~~67,817~~	70,869
~~Chairman of the Utilities Commission~~		~~81,381~~
~~Commissioner of the Utilities Commission~~		~~80,381~~
Executive Director, Agency for Public Telecommunications	~~65,220~~	68,155
General Manager, Ports Railway Commission	~~58,893~~	61,543
Director, Museum of Art	~~79,274~~	82,841
Executive Director, Wildlife Resources Commission	~~66,773~~	69,778
Executive Director, North Carolina Housing Finance Agency	~~95,746~~	100,055
Executive Director, North Carolina Agricultural Finance Authority	~~75,302~~	78,691
Director, Office of Administrative Hearings	~~76,500~~	79,943"

(b) Effective September 1, 1996, G.S. 62–10(h) reads as rewritten:

"(h) The salary of each commissioner ~~and that of the commissioner designated as chairman shall be set by the General Assembly in the Current Operations Appropriations Act.~~ shall be the same as that fixed from time to time for judges of the superior court except that the commissioner designated as the chairman shall receive one thousand dollars ($1,000) additional per annum. In lieu of merit and other increment raises paid to regular State employees, each commissioner, including the commissioner designated as chairman, shall receive as longevity pay an amount equal to four and eight–tenths percent (4.8%) of the annual salary set forth in the Current Operations Appropriations Act payable monthly after five years of service, and nine and six–tenths percent (9.6%) after 10 years of service. 'Service' means service as a member of the Utilities Commission."

(c) Effective September 1, 1996, G.S. 96–3(c) reads as rewritten:

"(c) Salaries. — The chairman of the Employment Security Commission of North Carolina, appointed by the Governor, shall be paid from the Employment Security Administration Fund a salary payable on a monthly basis, which salary shall be fixed by the ~~General Assembly in the Current Operations Appropriations Act;~~ appointing officer in an amount no higher than the highest salary set by the General Assembly for an executive branch official; and the members of the Commission, other than the chairman, shall each receive the same amount *per diem* for their services as is provided for the members of other State boards, commissions, and committees who receive compensation for their services as such, including necessary time spent in traveling to and from his place of residence within the State to the place of meeting while engaged in the discharge of the

duties of his office and his actual traveling expenses, the same to be paid from the aforesaid fund."

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

JUDICIAL BRANCH OFFICIALS

Sec. 28.3. Effective September 1, 1996, Section 7.4 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 7.4. (a) The annual salaries, payable monthly, for specified judicial branch officials for the ~~1995–96 and~~ 1996–97 fiscal ~~years~~ year, beginning September 1, 1996, are:

Judicial Branch Officials	Annual Salary	
Chief Justice, Supreme Court	~~$98,576~~	$103,012
Associate Justice, Supreme Court	~~96,000~~	100,320
Chief Judge, Court of Appeals	~~93,600~~	97,812
Judge, Court of Appeals	~~92,000~~	96,140
Judge, Senior Regular Resident Superior Court	~~89,500~~	93,528
Judge, Superior Court	~~87,000~~	90,915
Chief Judge, District Court	~~79,000~~	82,555
Judge, District Court	~~76,500~~	79,943
District Attorney	~~80,600~~	84,227
Administrative Officer of the Courts	~~89,500~~	93,528
Assistant Administrative Officer of the Courts	~~75,160~~	78,542
Public Defender	~~80,600~~	84,227

(b) The district attorney or public defender of a judicial district, with the approval of the Administrative Officer of the Courts, shall set the salaries of assistant district attorneys or assistant public defenders, respectively, in that district such that the average salaries of assistant district attorneys or assistant public defenders in that district do not exceed ~~forty-nine thousand five hundred eighty dollars ($49,580),~~ fifty-one thousand eight hundred eleven dollars ($51,811) and the minimum salary of any assistant district attorney or assistant public defender is at least ~~twenty-five thousand three hundred twelve dollars ($25,312) effective July 1, 1995.~~ twenty-six thousand four hundred fifty-one dollars ($26,451) effective September 1, 1996.

(c) The salaries in effect ~~for the 1994–95 fiscal year~~ on August 31, 1996, for permanent, full-time employees of the Judicial Department, except for those whose salaries are itemized in this Part, shall be increased by ~~two percent (2%), commencing July 1, 1995.~~ four and five-tenths percent (4.5%), commencing September 1, 1996.

(d) The salaries in effect ~~for the 1994–95 fiscal year~~ on August 31, 1996, for all permanent, part-time employees of the Judicial Department shall be increased on and after ~~July 1, 1995,~~ September 1, 1996, by *pro rata* amounts of the ~~two percent (2%).~~ four and five-tenths percent (4.5%)."

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

CLERKS OF SUPERIOR COURT

Sec. 28.4. Effective September 1, 1996, G.S. 7A-101(a) reads as rewritten:

"(a) The clerk of superior court is a full-time employee of the State and shall receive an annual salary, payable in equal monthly installments, based on the population of the county as determined in subsection (a1) of this section, according to the following schedule:

Population	Annual Salary	
Less than 100,00	~~$57,670~~	$60,265
100,000 to 149,999	~~64,780~~	67,695
150,000 to 249,999	~~71,890~~	75,125
250,000 and above	~~79,000.~~	82,555.

The salary schedule in this subsection is intended to represent the following percentage of the salary of a chief district court judge:

Less than 100,000	73%
100,000 to 149,999	82%
150,000 to 249,999	91%
250,000 and above	100%.

When a county changes from one population group to another, the salary of the clerk shall be changed, on July 1 of the fiscal year for which the change is reported, to the salary appropriate for the new population group, except that the salary of an incumbent clerk shall not be decreased by any change in population group during his continuance in office."

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

ASSISTANT AND DEPUTY CLERKS OF SUPERIOR COURT

Sec. 28.5. Effective September 1, 1996, G.S. 7A-102(c1) reads as rewritten:

"(c1) A full-time assistant clerk or a full-time deputy clerk, and up to one full-time deputy clerk serving as head bookkeeper per county, shall be paid an annual salary subject to the following minimum and maximum rates:

Assistant Clerks and Head Bookkeeper	Annual Salary	
Minimum	~~$21,549~~	$22,519
Maximum	~~38,154~~	39,871
Deputy Clerks	**Annual Salary**	
Minimum	~~$17,229~~	$18,004
Maximum	~~29,389.~~	30,712."

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

MAGISTRATES' PAY PLAN

Sec. 28.6. (a) Effective September 1, 1996, G.S. 7A-171.1(a)(1) reads as rewritten:

"(1) A full-time magistrate shall be paid the annual salary indicated in the table set out in this subdivision. A full-time magistrate is a magistrate who is assigned to work an average of not less than 40 hours a week during the term of office. The Administrative Officer of the Courts shall designate whether a magistrate is full-time. Initial appointment shall be at the entry rate. A magistrate's salary shall increase to the next step every two years on the anniversary of the date the magistrate was originally appointed for increases to Steps 1 through 3, and every four years on the anniversary of the date the magistrate was originally appointed for increases to Steps 4 through 6.

Table of Salaries of Full-Time Magistrates

Step Level	Annual Salary	
Entry Rate	~~$23,417~~	$24,471
Step 1	~~25,767~~	26,927

Step 2	~~28,325~~	29,600
Step 3	~~31,116~~	32,516
Step 4	~~34,173~~	35,711
Step 5	~~37,533~~	39,222
Step 6	~~41,228.~~	43,083."

(b) Effective September 1, 1996, G.S. 7A–171.1(a1)(1) reads as rewritten:

"(1) The salaries of magistrates who on June 30, 1994, were paid at a salary level of less than five years of service under the table in effect that date shall be as follows:

~~Less than 1 year of service~~		~~$ 18,457~~
1 or more but less than 3 years of service	~~19,406~~	20,279
3 or more but less than 5 years of service	~~21,314.~~	22,273.

Upon completion of five years of service, those magistrates shall receive the salary set as the Entry Rate in the table in subsection (a)."

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

GENERAL ASSEMBLY PRINCIPAL CLERKS

Sec. 28.7. Effective September 1, 1996, G.S. 120–37(c) reads as rewritten:

"(c) The principal clerks shall be full–time officers. Each principal clerk shall be entitled to other benefits available to permanent legislative employees and shall be paid an annual salary of ~~fifty–five thousand eighty dollars ($55,080)~~ fifty–seven thousand five hundred fifty–nine dollars ($57,559) payable monthly. The Legislative Services Commission shall review the salary of the principal clerks prior to submission of the proposed operating budget of the General Assembly to the Governor and Advisory Budget Commission and shall make appropriate recommendations for changes in those salaries. Any changes enacted by the General Assembly shall be by amendment to this paragraph."

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

SERGEANT–AT–ARMS AND READING CLERKS

Sec. 28.8. Effective September 1, 1996, G.S. 120–37(b) reads as rewritten:

"(b) The sergeant–at–arms and the reading clerk in each house shall be paid a salary of ~~two hundred thirty–seven dollars ($237.00) per week,~~ two hundred forty–eight dollars ($248.00) per week plus subsistence at the same daily rate provided for members of the General Assembly, plus mileage at the rate provided for members of the General Assembly for one round trip only from their homes to Raleigh and return. The sergeants–at–arms shall serve during sessions of the General Assembly and at such time prior to the convening of, and subsequent to adjournment or recess of, sessions as may be authorized by the Legislative Services Commission. The reading clerks shall serve during sessions only."

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

LEGISLATIVE EMPLOYEES

Sec. 28.9. Effective September 1, 1996, Section 7.11 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 7.11. The Legislative Administrative Officer shall increase the salaries of nonelected employees of the General Assembly in effect for fiscal year ~~1994–95 by two percent (2%).~~ 1995–96 by four and five–tenths percent (4.5%). Nothing in this act limits any of the provisions of G.S. 120–32."

Requested by: Representatives Holmes, Creech, Esposito, Grady, Preston, Senators Plyler, Perdue, Odom, Winner, Plexico

COMMUNITY COLLEGES PERSONNEL

Sec. 28.10. Effective September 1, 1996, Section 7.12 of Chapter 507 of the 1995 Session Laws reads as rewritten:

"Sec. 7.12. The Director of the Budget shall transfer from the Reserve for Salary Increases created in this act for fiscal year ~~1995-96~~ 1996-97 funds to the Department of Community Colleges necessary to provide an average annual salary increase of ~~two percent (2%),~~ four and five-tenths percent (4.5%), including funds for the employer's retirement and social security contributions, commencing ~~July 1, 1995,~~ September 1, 1996, for all permanent full-time community college institutional personnel supported by State funds. The State Board of Community Colleges shall establish guidelines for providing their salary increases to community college institutional ~~personnel.~~ personnel to include consideration of increases based on performance. Salary funds shall be used to provide an average annual salary increase of ~~two percent (2%)~~ four and five-tenths percent (4.5%) to all full-time employees and part-time employees on a *pro rata* basis."

Requested by: Representatives Holmes, Creech, Esposito, Grady, Preston, Senators Plyler, Perdue, Odom, Winner, Plexico

UNIVERSITY OF NORTH CAROLINA SYSTEM - EPA SALARY INCREASES

Sec. 28.11. (a) The Director of the Budget shall transfer to the Board of Governors of The University of North Carolina sufficient funds from the Reserve for Salary Increases created in this act for fiscal year 1996-97 to provide an annual average salary increase of four and five-tenths percent (4.5%), including funds for the employer's retirement and social security contributions, commencing September 1, 1996, for all employees of The University of North Carolina, as well as employees other than teachers of the North Carolina School of Science and Mathematics, supported by State funds and whose salaries are exempt from the State Personnel Act (EPA). These funds shall be allocated to individuals according to the rules adopted by the Board of Governors, or the Board of Trustees of the North Carolina School of Science and Mathematics, as appropriate, and may not be used for any purpose other than for salary increases and necessary employer contributions provided by this section. The Board of Governors shall include consideration of increases based on performance in its adoption of rules for the allocation of funds for salary increases.

(b) The Director of the Budget shall transfer to the Board of Governors of The University of North Carolina sufficient funds from the Reserve for Salary Increases created in this act for fiscal year 1996-97 to provide an annual average salary increase of five and five-tenths percent (5.5%), including funds for the employer's retirement and social security contributions, commencing September 1, 1996, for all teaching employees of the North Carolina School of Science and Mathematics, supported by State funds and whose salaries are exempt from the State Personnel Act (EPA). These funds shall be allocated to individuals according to the rules adopted by the Board of Trustees of the North Carolina School of Science and Mathematics, and may not be used for any purpose other than for salary increases and necessary employer contributions provided by this section.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

MOST STATE EMPLOYEES

Sec. 28.12. Section 7.14 of Chapter 507 of the 1995 Session Laws reads

as rewritten:

"Sec. 7.14. (a) The salaries in effect ~~June 30, 1995,~~ August 31, 1996, of all permanent full-time State employees whose salaries are set in accordance with the State Personnel Act, and who are paid from the General Fund or the Highway Fund shall be increased, on or after ~~July 1, 1995,~~ September 1, 1996, unless otherwise provided by this act, ~~by two percent (2%).~~ pursuant to the Comprehensive Compensation System set forth in G.S. 126-7 and rules adopted by the State Personnel Commission, as follows:

(1) Career growth recognition awards in the amount of two percent (2%); and

(2) A cost-of-living adjustment in the amount of two and five-tenths percent (2.5%).

Notwithstanding G.S. 126-7(4a), any permanent full-time State employee whose salary is set in accordance with the State Personnel Act and whose salary is at the top of the salary range or within two percent (2%) of the top of the salary range shall receive a one-time bonus of two percent (2%) less the career growth recognition award the employee receives. The employee shall receive the career growth bonus at the time the employee is eligible for the career growth recognition award, but not earlier than September 1, 1996.

(b) Except as otherwise provided in this act, salaries in effect ~~June 30, 1995,~~ August 31, 1996, for permanent full-time State officials and persons in exempt positions that are recommended by the Governor or the Governor and the Advisory Budget Commission and set by the General Assembly shall be increased by ~~two percent (2%), commencing July 1, 1995.~~ four and five-tenths percent (4.5%), commencing September 1, 1996.

(c) The salaries in effect ~~June 30, 1995,~~ August 31, 1996, for all permanent part-time State employees shall be increased on and after ~~July 1, 1995,~~ September 1, 1996, by *pro rata* amounts of the salary increases provided for permanent full-time employees covered under subsection (a) of this section.

(d) The Director of the Budget may allocate out of special operating funds or from other sources of the employing agency, except tax revenues, sufficient funds to allow a salary increase on and after ~~July 1, 1995,~~ September 1, 1996, in accordance with subsections (a), (b), or (c) of this section, including funds for the employer's retirement and social security contributions, of the permanent full-time and part-time employees of the agency.

(e) Within regular Executive Budget Act procedures as limited by this act, all State agencies and departments may increase on an equitable basis the rate of pay of temporary and permanent hourly State employees, subject to availability of funds in the particular agency or department, by *pro rata* amounts of the four and five-tenths percent (4.5%) salary increase provided for permanent full-time employees covered by the provisions of subsection (a) of this section, commencing ~~July 1, 1995.~~ September 1, 1996.

(f) ~~No~~ Except as provided by subsection (a) of this section, no person may receive a salary increase under G.S. 126-7 during the ~~1995-96~~ 1996-97 fiscal year, and no State employee or officer shall receive a merit increment during the ~~1995-96 and~~ 1996-97 fiscal ~~years~~ year except as otherwise provided by this act."

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

ALL STATE-SUPPORTED PERSONNEL

Sec. 28.13. (a) Salaries and related benefits for positions that are

funded partially from the General Fund or Highway Fund and partially from sources other than the General Fund or Highway Fund shall be increased from the General Fund or Highway Fund appropriation only to the extent of the proportionate part of the salaries paid from the General Fund or Highway Fund.

(b) The granting of the salary increases under this act does not affect the status of eligibility for salary increments for which employees may be eligible unless otherwise required by this act.

(c) The salary increases provided in this Part are to be effective September 1, 1996, do not apply to persons separated from State service due to resignation, dismissal, reduction in force, death, or retirement, whose last workday is prior to September 1, 1996, or to employees involved in final written disciplinary procedures. The employee shall receive the increase on a current basis when the final written disciplinary procedure is resolved.

Payroll checks issued to employees after September 1, 1996, which represent payment of services provided prior to September 1, 1996, shall not be eligible for salary increases provided for in this act. This subsection shall apply to all employees, subject to or exempt from the State Personnel Act, paid from State funds, including public schools, community colleges, and The University of North Carolina.

(d) The Director of the Budget shall transfer from the Reserve for Salary Increases in this act for fiscal year 1996–97 all funds necessary for the salary increases provided by this act, including funds for the employer's retirement and social security contributions.

(e) Nothing in this act authorizes the transfer of funds between the General Fund and the Highway Fund for salary increases.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

TEACHER SALARY SCHEDULES

Sec. 28.14. (a) Effective with the third payroll period of the 1996–97 fiscal year, the Director of the Budget may transfer from the Reserve for Salary Increases for the 1996–97 fiscal year funds necessary to implement the teacher salary schedule set out in subsection (b) of this section, including funds for the employer's retirement and social security contributions and funds for annual longevity payments at one percent (1%) of base salary for 10 to 14 years of State service, one and one–half percent (1.5%) of base salary for 15 to 19 years of State service, two percent (2%) of base salary for 20 to 24 years of State service, and two and one–half percent (2.5%) of base salary for 25 or more years of State service, commencing with the third payroll period of the 1996–97 fiscal year, for all teachers whose salaries are supported from the State's General Fund. These funds shall be allocated to individuals according to rules adopted by the State Board of Education and the Superintendent of Public Instruction. The longevity payment shall be paid in a lump sum once a year.

(b)(1) For the third through the twelfth payroll periods of the 1996–97 fiscal year, the following monthly salary schedule shall apply to certified personnel of the public schools who are classified as "A" teachers. The schedule contains 30 steps with each step corresponding to one year of teaching experience.

Years of Experience	Monthly Salary
0	$2,133
1	2,175
2	2,218
3	2,306
4	2,353
5	2,401
6	2,450
7	2,499
8	2,548
9	2,598
10	2,650
11	2,703
12	2,757
13	2,812
14	2,868
15	2,925
16	2,983
17	3,043
18	3,104
19	3,167
20	3,230
21	3,294
22	3,359
23	3,426
24	3,495
25	3,565
26	3,636
27	3,709
28	3,783
29	3,859
30+	3,859

(2) For the third through the twelfth payroll periods of the 1996–97 fiscal year, the following monthly salary schedule shall apply to certified personnel of the public schools who are classified as "G" teachers. The schedule contains 30 steps with each step corresponding to one year of teaching experience.

Years of Experience	Monthly Salary
0	$2,266
1	2,311
2	2,357
3	2,451
4	2,501
5	2,551
6	2,602
7	2,654
8	2,707
9	2,761
10	2,816
11	2,872
12	2,929
13	2,987
14	3,047

15	3,108
16	3,170
17	3,233
18	3,298
19	3,364
20	3,431
21	3,500
22	3,570
23	3,641
24	3,714
25	3,788
26	3,864
27	3,941
28	4,020
29	4,100
30+	4,100

(3) Certified public school teachers with certification based on academic preparation at the six–year degree level shall receive a salary supplement of one hundred twenty–six dollars ($126.00) per month in addition to the compensation provided for certified personnel of the public schools who are classified as "G" teachers. Certified public school teachers with certification based on academic preparation at the doctoral degree level shall receive a salary supplement of two hundred fifty–three dollars ($253.00) per month in addition to the compensation provided for certified personnel of the public schools who are classified as "G" teachers.

(c) Effective with the third payroll period of the 1996–97 fiscal year, the first step of the salary schedule for school psychologists shall be equivalent to Step 5, corresponding to five years of experience, on the salary schedule established in this section for certified personnel of the public schools who are classified as "G" teachers. Certified psychologists shall be placed on the salary schedule at an appropriate step based on their years of experience. Certified psychologists shall receive longevity payments based on years of State service in the same manner as teachers.

Certified psychologists with certification based on academic preparation at the six–year degree level shall receive a salary supplement of one hundred twenty–six dollars ($126.00) per month in addition to the compensation provided for certified psychologists. Certified psychologists with certification based on academic preparation at the doctoral degree level shall receive a salary supplement of two hundred fifty–three dollars ($253.00) per month in addition to the compensation provided for certified psychologists.

(d) Effective with the third payroll period of the 1996–97 fiscal year, speech pathologists who hold masters degrees and who are employed in the public schools as speech and language specialists shall be paid on the school psychologist salary schedule.

Speech pathologists with certification based on academic preparation at the six–year degree level shall receive a salary supplement of one hundred twenty–six dollars ($126.00) per month in addition to the compensation provided for speech pathologists. Speech pathologists with certification based on academic preparation at the doctoral degree level shall receive a salary supplement of two hundred fifty–three dollars ($253.00) per month in addition to the compensation provided for speech pathologists.

(e) The provisions of Section 7.18 of Chapter 507 of the 1995 Session Laws and the salaries, longevity, and salary supplements set by that section shall remain in effect through the second payroll period of the 1996–97 fiscal year, except that teachers and other employees shall not receive credit for a year of service performed during the 1995–96 school year until the beginning of the third payroll period of the 1996–97 fiscal year.

(f) Certified personnel of the public schools who are: (i) classified as "A" teachers; (ii) at the maximum of their pay range at the beginning of the third payroll period of the 1996–97 fiscal year; and (iii) employed as teachers for the first three pay periods of the 1996–97 school year shall receive a one–time bonus of seven hundred thirty–three dollars ($733.00), payable at the third payroll period of the 1996–97 school year. Certified personnel of the public schools who are: (i) classified as "G" teachers; (ii) at the maximum of their pay range at the beginning of the third payroll period of the 1996–97 fiscal year; and (iii) employed as teachers for the first three pay periods of the 1996–97 school year shall receive a one–time bonus of seven hundred seventy–nine dollars ($779.00), payable at the third payroll period of the 1996–97 school year. Certified personnel of the public schools who are: (i) certified based on academic preparation at the six–year degree level; (ii) at the maximum of their pay range at the beginning of the third payroll period of the 1996–97 fiscal year; and (iii) employed as teachers for the first three pay periods of the 1996–97 school year shall receive a one–time bonus of eight hundred four dollars ($804.00), payable at the third payroll period of the 1996–97 school year. Certified personnel of the public schools who are: (i) certified based on academic preparation at the doctoral degree level; (ii) at the maximum of their pay range at the beginning of the third payroll period of the 1996–97 fiscal year; and (iii) employed as teachers for the first three pay periods of the 1996–97 school year shall receive a one–time bonus of eight hundred twenty–nine dollars ($829.00), payable at the third payroll period of the 1996–97 school year.

(g) Certified personnel of the public schools who are: (i) classified as psychologists with advanced degrees; (ii) at the maximum of their pay range at the beginning of the third payroll period of the 1996–97 fiscal year; and (iii) employed as school psychologists for the first three pay periods of the 1996–97 school year shall receive a one–time bonus of eight hundred eighty–five dollars ($885.00), payable at the third payroll period of the 1996–97 school year. Certified personnel of the public schools who are: (i) classified as psychologists with doctoral degrees; (ii) at the maximum of their pay range at the beginning of the third payroll period of the 1996–97 fiscal year; and (iii) employed as school psychologists for the first three pay periods of the 1996–97 school year shall receive a one–time bonus of nine hundred ten dollars ($910.00), payable at the third payroll period of the 1996–97 school year.

(h) Speech pathologists who (i) hold masters degrees; (ii) are at the maximum of their pay range at the beginning of the third payroll period of the 1996–97 fiscal year; and (iii) are employed as speech and language specialists for the first three pay periods of the 1996–97 school year shall receive a one–time bonus of eight hundred eighty–five dollars ($885.00), payable at the third payroll period of the 1996–97 school year. Speech pathologists who (i) hold doctoral degrees; (ii) are at the maximum of their pay range at the beginning of the third payroll period of the 1996–97 fiscal year; and (iii) are employed as speech and language specialists for the first three pay periods of the 1996–97 school year shall receive a one–time bonus of nine hundred ten dollars ($910.00), payable at the

third payroll period of the 1996–97 school year. Speech pathologists who (i) hold advanced degrees; (ii) are at the maximum of their pay range at the beginning of the third payroll period of the 1996–97 fiscal year; and (iii) are employed as speech and language specialists for the first three pay periods of the 1996–97 school year shall receive a one–time bonus of nine hundred ten dollars ($910.00), payable at the third payroll period of the 1996–97 school year.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

SCHOOL–BASED ADMINISTRATOR SALARIES

Sec. 28.15. (a) Funds appropriated to the Reserve for Salary Increases shall be used for the implementation of the salary schedule for school–based administrators as provided in this section. These funds shall be used for State–paid employees only.

(b) The salary schedule for school–based administrators shall apply only to principals and assistant principals. The salary schedule for the 1996–97 fiscal year, commencing September 1, 1996, is as follows:

Step	Asst. Prin.	Prin.I	Prin.II	Prin.III	Prin.IV	Prin.V	Prin.VI	Prin.VII
0	—	—	—	—	—	—	—	—
1	—	—	—	—	—	—	—	—
2	—	—	—	—	—	—	—	—
3	—	—	—	—	—	—	—	—
4	$2,576	—	—	—	—	—	—	—
5	2,627	—	—	—	—	—	—	—
6	2,680	—	—	—	—	—	—	—
7	2,734	—	—	—	—	—	—	—
8	2,789	$2,789	—	—	—	—	—	—
9	2,845	2,845	—	—	—	—	—	—
10	2,902	2,902	$2,960	—	—	—	—	—
11	2,960	2,960	3,019	—	—	—	—	—
12	3,019	3,019	3,079	$3,141	—	—	—	—
13	3,079	3,079	3,141	3,204	$3,268	—	—	—
14	3,141	3,141	3,204	3,268	3,333	$3,400	—	—
15	3,204	3,204	3,268	3,333	3,400	3,468	—	—
16	3,268	3,268	3,333	3,400	3,468	3,537	$3,608	—
17	3,333	3,333	3,400	3,468	3,537	3,608	3,680	$3,754
18	3,400	3,400	3,468	3,537	3,608	3,680	3,754	3,829
19	3,468	3,468	3,537	3,608	3,680	3,754	3,829	3,906
20	3,537	3,537	3,608	3,680	3,754	3,829	3,906	3,984
21	3,608	3,608	3,680	3,754	3,829	3,906	3,984	4,064
22	3,680	3,680	3,754	3,829	3,906	3,984	4,064	4,145
23	3,754	3,754	3,829	3,906	3,984	4,064	4,145	4,228
24	3,829	3,829	3,906	3,984	4,064	4,145	4,228	4,313
25	3,906	3,906	3,984	4,064	4,145	4,228	4,313	4,399
26	3,984	3,984	4,064	4,145	4,228	4,313	4,399	4,487
27	4,064	4,064	4,145	4,228	4,313	4,399	4,487	4,577
28	4,145	4,145	4,228	4,313	4,399	4,487	4,577	4,669
29	4,228	4,228	4,313	4,399	4,487	4,577	4,669	4,762
30	4,313	4,313	4,399	4,487	4,577	4,669	4,762	4,857
31	4,399	4,399	4,487	4,577	4,669	4,762	4,857	4,954
32	—	4,487	4,577	4,669	4,762	4,857	4,954	5,053

33	—	—	4,669	4,762	4,857	4,954	5,053	5,154
34	—	—	4,762	4,857	4,954	5,053	5,154	5,257
35	—	—	—	4,954	5,053	5,154	5,257	5,362
36	—	—	—	5,053	5,154	5,257	5,362	5,469
37	—	—	—	—	5,257	5,362	5,469	5,578
38	—	—	—	—	—	5,469	5,578	5,690
39	—	—	—	—	—	—	5,690	5,804
40	—	—	—	—	—	—	5,804	5,920
41	—	—	—	—	—	—	—	6,038.

(c) The appropriate classification for placement of principals and assistant principals on the salary schedule shall be determined in accordance with the following schedule:

Classification	**Number of Teachers Supervised**
Assistant Principal	
Principal I	Less than 11 Teachers
Principal II	11–21 Teachers
Principal III	22–32 Teachers
Principal IV	33–43 Teachers
Principal V	44–54 Teachers
Principal VI	55–65 Teachers
Principal VII	More than 65 Teachers

The number of teachers supervised includes teachers and assistant principals paid from State funds only; it does not include teachers or assistant principals paid from non–State funds or the principal or teacher assistants.

(d) A principal shall be placed on the step on the salary schedule that reflects total number of years of experience as a certificated employee of the public schools and an additional step for every three years of experience as a principal, except that a principal shall not receive credit for a year of service performed during the 1995–96 fiscal year until September 1, 1996.

(e) Principals and assistant principals with certification based on academic preparation at the six–year degree level shall be paid a salary supplement of one hundred twenty–six dollars ($126.00) per month and at the doctoral degree level shall be paid a salary supplement of two hundred fifty–three dollars ($253.00) per month.

(f) There shall be no State requirement that superintendents in each local school unit shall receive in State–paid salary at least one percent (1%) more than the highest paid principal receives in State salary in that school unit: Provided, however, the additional State–paid salary a superintendent who was employed by a local school administrative unit for the 1992–93 fiscal year received because of that requirement shall not be reduced because of this subsection for subsequent fiscal years that the superintendent is employed by that local school administrative unit so long as the superintendent is entitled to at least that amount of additional State–paid salary under the rules in effect for the 1992–93 fiscal year.

(g) Longevity pay for principals and assistant principals shall be as provided for State employees.

(h) (1) If a principal is reassigned to a higher job classification because the principal is transferred to a school within a local school administrative unit with a larger number of State–allotted teachers, the principal shall be placed on the salary schedule as if the

principal had served the principal's entire career as a principal at the higher job classification.

(2) If a principal is reassigned to a lower job classification because the principal is transferred to a school within a local school administrative unit with a smaller number of State–allotted teachers, the principal shall be placed on the salary schedule as if the principal had served the principal's entire career as a principal at the lower job classification.

This subdivision applies to all transfers on or after the ratification date of this act, except transfers in school systems that have been created, or will be created, by merging two or more school systems. Transfers in these merged systems are exempt from the provisions of this subdivision for one calendar year following the date of the merger.

(i) Except as provided in subsection (h) of this section, the salary of a principal or assistant principal shall not be less for the 1996–97 fiscal year than it was for the 1993–94 fiscal year solely as a result of placement on the salary schedule established in this section.

(j) The provisions of Section 7.19 of Chapter 507 of the 1995 Session Laws and the salaries, longevity, and salary supplements set by that section shall remain in effect through August 31, 1996, except that assistant principals and principals shall not receive credit for a year of service performed during the 1995–96 school year until September 1, 1996.

(k) Certified personnel of the public schools who are school administrators and who are at the maximum of their pay range as of September 1, 1996, shall receive a one–time bonus as set out in the table below payable September 1, 1996:

Classification	Bonus Amount
Asst. Principal	$792
Asst. Principal Advanced	815
Asst. Principal Doctorate	837
Principal I	894
Principal I Advanced	919
Principal I Doctorate	945
Principal II	949
Principal II Advanced	974
Principal II Doctorate	999
Principal III	1,007
Principal III Advanced	1,032
Principal III Doctorate	1,057
Principal IV	1,047
Principal IV Advanced	1,072
Principal IV Doctorate	1,097
Principal V	1,090
Principal V Advanced	1,115
Principal V Doctorate	1,140
Principal VI	1,156
Principal VI Advanced	1,181
Principal VI Doctorate	1,207
Principal VII	1,203
Principal VII Advanced	1,228
Principal VII Doctorate	1,253.

Requested by: Representatives Holmes, Creech, Esposito, Senators Plyler, Perdue, Odom

SCHOOL CENTRAL OFFICE SALARIES

Sec. 28.16. (a) The following monthly salary ranges apply to public school superintendents, assistant superintendents, associate superintendents, directors/coordinators, supervisors, and finance officers for the 1996–97 fiscal year, beginning September 1, 1996:

(1) School Administrator I: $2,818 – $4,533
(2) School Administrator II: $2,991 – $4,811
(3) School Administrator III: $3,174 – $5,106
(4) School Administrator IV: $3,302 – $5,313
(5) School Administrator V: $3,435 – $5,528
(6) School Administrator VI: $3,645 – $5,867
(7) School Administrator VII:$3,792 – $6,104

The local board of education shall determine the appropriate category and placement for each assistant superintendent, associate superintendent, director/coordinator, supervisor, or finance officer, within the salary ranges and within funds appropriated by the General Assembly for central office administrators and superintendents. The category in which an employee is placed shall be included in the contract of any employee hired on or after July 1, 1996.

(b) The following monthly salary ranges apply to public school superintendents for the 1996–97 fiscal year, beginning September 1, 1996:

(1) Superintendent I (Up to 2,500 ADM): $4,025 – $6,478
(2) Superintendent II (2,501 – 5,000 ADM): $4,272 – $6,874
(3) Superintendent III (5,001 – 10,000 ADM): $4,533 – $7,295
(4) Superintendent IV (10,001 – 25,000 ADM): $4,811 – $7,741
(5) Superintendent V (Over 25,000 ADM): $5,106 – $8,215

The local board of education shall determine the appropriate category and placement for the superintendent based on the average daily membership of the local school administrative unit and within funds appropriated by the General Assembly for central office administrators and superintendents.

Notwithstanding the provisions of this subsection, a local board of education may pay an amount in excess of the applicable range to a superintendent who is entitled to receive the higher amount under Section 28.15(f) of this act.

(c) Longevity pay for superintendents, assistant superintendents, associate superintendents, directors/coordinators, supervisors, and finance officers shall be as provided for State employees.

(d) Superintendents, assistant superintendents, associate superintendents, directors/coordinators, supervisors, and finance officers with certification based on academic preparation at the six–year degree level shall receive a salary supplement of one hundred twenty–six dollars ($126.00) per month in addition to the compensation provided for pursuant to this section. Superintendents, assistant superintendents, associate superintendents, directors/coordinators, supervisors, and finance officers with certification based on academic preparation at the doctoral degree level shall receive a salary supplement of two hundred fifty–three dollars ($253.00) per month in addition to the compensation provided for under this section.

(e) The State Board shall not permit local school administrative units to transfer State funds from other funding categories for salaries for public school central office administrators.

(f) The Director of the Budget shall transfer from the Reserve for Salary

Increases created in this act for fiscal year 1996–97, beginning September 1, 1996, funds necessary to provide an average annual salary increase of four and five–tenths percent (4.5%), including funds for the employer's retirement and social security contributions, commencing September 1, 1996, for all permanent full–time personnel paid from the Central Office Allotment. The State Board of Education shall allocate these funds to local school administrative units. The local boards of education shall establish guidelines for providing their salary increases to these personnel.

(g) The provisions of Section 7.17 of Chapter 507 of the 1995 Session Laws shall remain in effect through August 31, 1996.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

NONCERTIFIED PUBLIC SCHOOL EMPLOYEES' SALARY INCREASE

Sec. 28.17. (a) The Director of the Budget may transfer from the Reserve for Salary Increases created in this act for fiscal year 1996–97, commencing with the third payroll period, funds necessary to provide a salary increase of four and five–tenths percent (4.5%), including funds for the employer's retirement and social security contributions, commencing with the third payroll period, for all noncertified public school employees, except school bus drivers, whose salaries are supported from the State's General Fund. These funds shall not be used for any purpose other than for the salary increases and necessary employer contributions provided by this subsection.

(b) The fiscal year 1995–96 pay rates adopted by local boards of education for school bus drivers shall be increased by at least four and five–tenths percent (4.5%), commencing with the third payroll period, to the extent that such rates of pay are supported by the allocation of State funds from the State Board of Education. Local boards of education shall increase the rates of pay for all school bus drivers who were employed during fiscal year 1995–96 and who continue their employment for fiscal year 1996–97 by at least four and five–tenths percent (4.5%), commencing with the third payroll period. The Director of the Budget may transfer from the salary increase reserve fund created in this act for fiscal year 1996–97, beginning with the third payroll period of the 1996–97 fiscal year, funds necessary to provide the salary increases for school bus drivers whose salaries are supported from the State's General Fund in accordance with the provisions of this subsection.

(c) The Director of the Budget may transfer from the Reserve for Salary Increases created in this act for fiscal year 1996–97, beginning with the third payroll period of the 1996–97 fiscal year, funds necessary to increase the minimum teacher assistant salary to grade 54.

Requested by: Representatives Holmes, Creech, Esposito

STUDY COMMISSION ON THE COMPREHENSIVE COMPENSATION SYSTEM

Sec. 28.18. (a) The Study Commission on the Comprehensive Compensation System is created. The Commission shall consist of nine members: three Representatives appointed by the Speaker of the House of Representatives, three Senators appointed by the President *Pro Tempore* of the Senate, and three members appointed by the Governor. The Speaker of the House of Representatives shall designate one Representative as cochair and the President *Pro Tempore* of the Senate shall designate one Senator as cochair. Vacancies in the membership

of the Commission shall be filled by the same appointing officer who made the initial appointment.

(b) The Commission shall:

(1) Evaluate the Comprehensive Compensation System established in Article 2 of Chapter 126 of the General Statutes; and

(2) Determine a methodology for funding the pay plan for State employees at varying levels of appropriations to fund State pay increases.

The Commission shall submit a final report of its findings and recommendations to the General Assembly on or before the first day of the 1997 Session by filing the report with the Speaker of the House of Representatives and the President *Pro Tempore* of the Senate. Upon filing its final report, the Commission shall terminate.

(c) The Commission, while in the discharge of official duties, may exercise all the powers provided for under the provisions of G.S. 120–19, and G.S. 120–19.1 through G.S. 120–19.4. The Commission may meet at any time upon the joint call of the cochairs. The Commission may meet in the Legislative Building or the Legislative Office Building.

(d) Members of the Commission who are legislators shall receive subsistence and travel expenses at the rates set forth in G.S. 120–3.1. Other members of the Commission shall receive reimbursement for travel expenses at the rates allowed by G.S. 138–6.

(e) The Commission may contract for professional, clerical, or consultant services as provided by G.S. 120–32.02. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist in the work of the Commission. The House of Representatives' and the Senate's Supervisors of Clerks shall assign clerical staff to the Commission upon the direction of the Legislative Services Commission. The expenses relating to clerical employees shall be borne by the Commission.

(f) All State departments and agencies shall furnish the Commission with any information in their possession or available to them.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

SALARY ADJUSTMENT FUND

Sec. 28.19. Any remaining appropriations for legislative salary increases not required for that purpose may be used to supplement the Salary Adjustment Fund. These funds shall first be used to provide reclassifications of those positions already approved by the Office of State Personnel. The Office of State Budget and Management shall report to the Joint Legislative Commission on Governmental Operations prior to the allocation of these funds.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

TRAVEL EXPENSE REIMBURSEMENT STUDY

Sec. 28.20. The Office of State Budget and Management shall study the issue of whether the current system of reimbursement of State employees for job–related travel expenses is flexible enough to allow State employees to recover the actual cost of expenses incurred for lodging and meals, when the total of all such costs does not exceed the maximum statutory amount. If the Office of State Budget and Management finds that the current system is not flexible enough to

allow State employees to recover all such expenses, the Office of State Budget and Management shall consider ways to make the system more flexible. The Office of State Budget and Management shall report the results of its study, including any proposed policy or statutory changes and the fiscal impact of such changes, to the Joint Legislative Commission on Governmental Operations, prior to February 1, 1997.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

POSTRETIREMENT BENEFIT INCREASES

Sec. 28.21. (a) G.S. 135–5 is amended by adding a new subsection to read:

"(bbb) From and after September 1, 1996, the retirement allowance to or on account of beneficiaries whose retirement commenced on or before July 1, 1995, shall be increased by four and four–tenths percent (4.4%) of the allowance payable on July 1, 1995, in accordance with G.S. 135–5(o). Furthermore, from and after September 1, 1996, the retirement allowance to or on account of beneficiaries whose retirement commenced after July 1, 1995, but before June 30, 1996, shall be increased by a prorated amount of four and four–tenths percent (4.4%) of the allowance payable as determined by the Board of Trustees based upon the number of months that a retirement allowance was paid between July 1, 1995, and June 30, 1996."

(b) G.S. 135–65 is amended by adding a new subsection to read:

"(q) From and after September 1, 1996, the retirement allowance to or on account of beneficiaries whose retirement commenced on or before July 1, 1995, shall be increased by four and four–tenths percent (4.4%) of the allowance payable on July 1, 1995. Furthermore, from and after September 1, 1996, the retirement allowance to or on account of beneficiaries whose retirement commenced after July 1, 1995, but before June 30, 1996, shall be increased by a prorated amount of four and four–tenths percent (4.4%) of the allowance payable as determined by the Board of Trustees based upon the number of months that a retirement allowance was paid between July 1, 1995, and June 30, 1996."

(c) G.S. 120–4.22A is amended by adding a new subsection to read:

"(k) In accordance with subsection (a) of this section, from and after September 1, 1996, the retirement allowance to or on account of beneficiaries whose retirement commenced on or before January 1, 1996, shall be increased by four and four–tenths percent (4.4%) of the allowance payable on January 1, 1996. Furthermore, from and after September 1, 1996, the retirement allowance to or on account of beneficiaries whose retirement commenced after January 1, 1996, but before June 30, 1996, shall be increased by a prorated amount of four and four–tenths percent (4.4%) of the allowance payable as determined by the Board of Trustees based upon the number of months that a retirement allowance was paid between January 1, 1996, and June 30, 1996."

(d) G.S. 128–27 is amended by adding a new subsection to read:

"(rr) From and after September 1, 1996, the retirement allowance to or on account of beneficiaries whose retirement commenced on or before July 1, 1995, shall be increased by four and four–tenths percent (4.4%) of the allowance payable on July 1, 1995, in accordance with G.S. 128–27(k). Furthermore, from and after September 1, 1996, the retirement allowance to or on account of beneficiaries whose retirement commenced after July 1, 1995, but before June 30, 1996, shall be increased by a prorated amount of four and four–tenths percent (4.4%) of the

allowance payable as determined by the Board of Trustees based upon the number of months that a retirement allowance was paid between July 1, 1995, and June 30, 1996."

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

SALARY–RELATED CONTRIBUTIONS/EMPLOYERS

Sec. 28.22. Section 7.1(b) of Chapter 324 of the 1995 Session Laws, as amended by Section 7.22A of Chapter 507 of the 1995 Session Laws, reads as rewritten:

"(b) Effective ~~July 1, 1995,~~ July 1, 1996, the State's employer contribution rates budgeted for retirement and related benefits as a percentage of covered salaries for the ~~1995–96~~ 1996–97 fiscal year are (i) ten and eighty–three hundredths percent (10.83%) – Teachers and State Employees; (ii) fifteen and eighty–three hundredths percent (15.83%) – State Law Enforcement Officers; (iii) nine and eighteen hundredths percent (9.18%) – University Employees' Optional Retirement Program; (iv) twenty–two and sixty–five hundredths percent (22.65%) – Consolidated Judicial Retirement System; and (v) ~~twenty–three and twenty–seven hundredths percent (23.27%)~~ twenty–four and fifty–eight hundredths percent (24.58%) – Legislative Retirement System. Each of the foregoing contribution rates includes two percent (2%) for hospital and medical benefits. The rate for State Law Enforcement Officers includes five percent (5%) for the Supplemental Retirement Income Plan. The rates for Teachers and State Employees, State Law Enforcement Officers, and for the University Employees' Optional Retirement Program includes fifty–two hundredths percent (0.52%) for the Disability Income Plan."

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

**STATE EMPLOYEE HEALTH BENEFIT PLAN/
PREEXISTING HEALTH CONDITIONS**

Sec. 28.23. (a) G.S. 135–40.1(15) reads as rewritten:

"(15) Preexisting Condition. — A condition, disease, illness or injury ~~which existed or had its beginning to any degree, whether diagnosed or not,~~ diagnosed and treated within six months prior to the effective date of coverage."

(b) G.S. 135–40.3(b) is amended by adding a new subdivision to read:

"(5) To administer the 12–month waiting period for preexisting conditions under this Article, the Plan must give credit against the 12–month period for the time that a person was covered under a previous plan if the previous plan's coverage was continuous to a date not more than 60 days before the effective date of coverage. As used in this subdivision, a 'previous plan' means any policy, certificate, contract, or any other arrangement provided by any accident and health insurer, any hospital or medical service corporation, any health maintenance organization, any preferred provider organization, any multiple employer welfare arrangement, any self–insured health benefit arrangement, any governmental health benefit or health care plan or program, or any other health benefit arrangement."

(c) This section is effective July 1, 1995.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

STATE EMPLOYEE HEALTH BENEFIT PLAN/SKILLED NURSING FACILITY BENEFITS IN FACILITIES NOT MEDICARE–QUALIFIED

Sec. 28.24. G.S. 135–40.6(3) reads as rewritten:

"(3) Skilled Nursing Facility Benefits. — The Plan will pay benefits in a skilled nursing facility ~~which qualifies for delivery of benefits under Title XVIII of the Social Security Act (Medicare),~~ licensed under applicable State laws as follows:

After discharge from a hospital for which inpatient hospital benefits were provided by this Plan for a period of not less than three days, and treatment consistent with the same illness or condition for which the covered individual was hospitalized, the daily charges will be paid for room and board in a semiprivate room or any multibed unit up to the maximum benefit specified in subsection (1) of this section, less the days of care already provided for the same illness in a hospital. Plan allowances for total daily charges may be negotiated but will not exceed the daily semiprivate hospital room rate as determined by the Plan.

Credit will be allowed toward private room charges in an amount equal to the facility's most prevalent charge for semiprivate accommodations. Charges will also be paid for general nursing care and other services which would ordinarily be covered in a general hospital. In order to be eligible for these benefits, admission must occur within 14 days of discharge from the hospital.

In order to qualify for benefits provided by a skilled nursing facility, the following stipulations apply:

a. The services are medically required to be given on an inpatient basis because of the covered individual's need for skilled nursing care on a continuing basis for any of the conditions for which he or she was receiving inpatient hospital services prior to transfer from a hospital to the skilled nursing facility or for a condition requiring such services which arose after such transfer and while he or she was still in the facility for treatment of the condition or conditions for which he or she was receiving inpatient hospital services,

b. Only on prior referral by and so long as, the patient remains under the active care of an attending doctor who certifies that continual hospital confinement would be required without the care and treatment of the skilled nursing facility, and

c. Approved in advance by the Claims Processor.

For facilities not qualified for delivery of services covered by the benefits of Title XVIII of the Social Security Act (Medicare), neither the Plan nor any of its members shall be billed or held liable by such facilities for charges that otherwise would be covered by Medicare."

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom, Ballance, Rand

REDEFINE SERVICE FOR PURPOSES OF LONGEVITY PAY FOR PUBLIC DEFENDERS

Sec. 28.25. G.S. 7A–465(b) reads as rewritten:

"(b) The public defender shall be an attorney licensed to practice law in North

Carolina, and shall devote his full time to the duties of his office.

In lieu of merit and other increment raises paid to regular State employees, a public defender shall receive as longevity pay an amount equal to four and eight–tenths percent (4.8%) of the annual salary set forth in the Current Operations Appropriations Act payable monthly after five years of service, nine and six–tenths percent (9.6%) after 10 years of service, fourteen and four–tenths percent (14.4%) after 15 years of service, and nineteen and two–tenths percent (19.2%) after 20 years of service. 'Service' means service as a public ~~defender.~~ defender, assistant public defender, justice or judge of the General Court of Justice, or clerk of superior court."

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

MECKLENBURG LAW OFFICERS' EMERGENCY AND PENSION FUND CHANGE

Sec. 28.26. (a) Section 5 of Chapter 446 of the Public–Local Laws of 1931, as amended by Section 1 of Chapter 305 of the 1967 Session Laws, is rewritten to read:

"Sec. 5. The funds accumulated under this act shall be known as the 'Emergency and Pension Fund of the County of Mecklenburg' and shall be used as a fund for all arresting officers, as defined in Section 2 of this act, and their families. If an officer while in the actual performance of that officer's duties is killed, the board may pay any amount up to a maximum of ten thousand dollars ($10,000) as a death benefit to the surviving spouse of the deceased officer. If the officer is not married at the time of death, the board may pay any amount up to a maximum of ten thousand dollars ($10,000) to the nearest dependent next of kin of the deceased. It is further the true intent, meaning, and purpose of this act that the board may pay any amount less than the amount specified, and the board may refuse to make a payment of any amount in any case in any or all of the classes enumerated in this act. Further, the board may use monies from the fund to award scholarships to dependent children of officers who are either killed while in the performance of their duties or who are rendered totally disabled as a result of an injury received while in the performance of their duties. The maximum scholarship amount shall be two thousand five hundred dollars ($2,500) per child."

(b) Nothing in this section shall create any liability for the Emergency and Pension Fund of the County of Mecklenburg unless there are sufficient current assets in the Fund to pay fully for the liability. Under no circumstances shall the State incur any liability as a result of this section.

PART 29. MISCELLANEOUS PROVISIONS

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

EXECUTIVE BUDGET ACT APPLIES

Sec. 29. The provisions of the Executive Budget Act, Chapter 143, Article 1 of the General Statutes, as amended by this act, are reenacted and shall remain in full force and effect and are incorporated in this act by reference.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

CONFERENCE REPORT

Sec. 29.1. (a) The Joint Appropriations Committee House/Senate

Conference Report on Budget Modifications, dated August 3, 1996, together with any accompanying correction sheets, which was distributed in the Senate and used to explain this act, shall indicate action by the General Assembly on this act and shall therefore be used to construe this act, as provided in G.S. 143–15 of the Executive Budget Act, and for these purposes shall be considered a part of this act.

(b) The budget enacted by the General Assembly for the maintenance of the various departments, institutions, and other spending agencies of the State for the 1995–97 fiscal biennium is a line item budget, in accordance with the Budget Code Structure and the State Accounting System Uniform Chart of Accounts set out in the Administrative Policies and Procedures Manual of the Office of the State Controller. This budget includes the appropriations made from all sources including the General Fund, Highway Fund, special funds, cash balances, federal receipts, and departmental receipts.

The General Assembly amended the itemized budget requests submitted to the General Assembly by the Director of the Budget and the Advisory Budget Commission, in accordance with the steps that follow and the line item detail in the budget enacted by the General Assembly may be derived accordingly:

(1) Negative reserves set out in the submitted budget were deleted and the totals were increased accordingly.

(2) The base budget was adjusted in accordance with the base budget cuts and additions that were set out in the Joint Appropriations Committee House/Senate Conference Report on Budget Modifications, dated August 3, 1996, together with any accompanying correction sheets.

(3) Transfers of funds supporting programs were made in accordance with the Joint Appropriations Committee House/Senate Conference Report on Budget Modifications, dated August 3, 1996, together with any accompanying correction sheets.

The budget enacted by the General Assembly shall also be interpreted in accordance with the special provisions in this act and in accordance with other appropriate legislation.

In the event that there is a conflict between the line item budget certified by the Director of the Budget and the budget enacted by the General Assembly, the budget enacted by the General Assembly shall prevail.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

MOST TEXT APPLIES ONLY TO 1996–97

Sec. 29.2. Except for statutory changes or other provisions that clearly indicate an intention to have effects beyond the 1996–97 fiscal year, the textual provisions of this act apply only to funds appropriated for, and activities occurring during, the 1996–97 fiscal year.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

1995–96 APPROPRIATIONS LIMITATIONS AND DIRECTIONS APPLY

Sec. 29.3. (a) Except where expressly repealed or amended by this act, the provisions of Chapters 324 and 507 of the 1995 Session Laws remain in effect.

(b) Notwithstanding any modifications by this act in the amounts appropriated, except where expressly repealed or amended, the limitations and directions for the 1995–96 fiscal year in Chapters 324 and 507 of the 1995 Session Laws that applied to appropriations to particular agencies or for particular purposes apply to

the newly enacted appropriations and budget reductions of this act for those same particular purposes.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

EFFECT OF HEADINGS

Sec. 29.4. The headings to the parts and sections of this act are a convenience to the reader and are for reference only. The headings do not expand, limit, or define the text of this act.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

SEVERABILITY CLAUSE

Sec. 29.5. If any section or provision of this act is declared unconstitutional or invalid by the courts, it does not affect the validity of this act as a whole or any part other than the part so declared to be unconstitutional or invalid.

Requested by: Representatives Holmes, Creech, Esposito,
Senators Plyler, Perdue, Odom

EFFECTIVE DATE

Sec. 29.6. Except as otherwise provided, this act becomes effective July 1, 1996.

On motion of Senator Plyler, the Conference Report is adopted (36–0) and a message is ordered sent to the House of Representatives informing that Honorable Body of such action.

Pursuant to Sec. 29.1, see the *Addendum* for the text of the document placed before the Senate entitled Joint Appropriations Committee House/Senate Conference Report on Budget Modifications, dated August 3, 1996, which had no accompanying correction sheets.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.B. 53
(Senate Committee Substitute)

House of Representatives
August 3, 1996

Mr. President:

It is ordered that a message be sent your Honorable Body with the information that the House has adopted the report of the Conferees on **HB 53**, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONTINUATION BUDGET OPERATIONS APPROPRIATIONS ACT OF 1995, AND THE EXPANSION AND CAPITAL IMPROVEMENTS ACT OF 1995, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE. Pursuant to the receipt of your message that your Honorable Body has adopted the report of the Conferees, we will order the bill enrolled.

Respectfully,
Denise G. Weeks
S/sw
Principal Clerk

EXPLANATION OF VOTE

H.B. 53 (Senate Committee Substitute), a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, and to make other changes in the budget operation of the State, with the Conference Report adopted earlier today.

Senator Horton, pursuant to Rule 30, rises to explain his vote on the adoption of the Conference Report. On motion of Senator Ballance, with unanimous consent, his remarks are spread upon the Journal, as follows:

By Senator Horton:

"Thank you, Mr. President. Members of the Senate, I voted for this bill, as I suspect many of us did, with, of course, some reservations. It isn't going to satisfy anyone.

"One piece, however, I think is one that is going to be most important to us and the Senator from Craven alluded to it a moment ago; and that is the problem of cleaning up our streams and rivers in the eastern part of our State. This bill has completely excised any reference to mandatory buffers, any reference to mandatory restrictions of farmers, or corporate development and so forth polluting our streams. The Senator from Dare knows as well as anyone that hardly a week goes by that some man has to hang it up; has to give up fishing as a livelihood. I bet a number of his own friends have had to quit what their ancestors have done because we have let our waters become so polluted, so rife with fish kills, our shell beds—Senator Martin, remember the oysters down there below Washington—no longer. What used to be the richest marine area in the eastern United States, well the Tar Pamlico is commercially dead. Unless we have some way to keep agriculture from polluting their neighbors downstream, from destroying the fish, this thirty–some million dollars and this marvelous program which I commend, is going down the tubes. And I confidently predict that some sunny day the Senator from Craven will be able to take her family for a stroll along the banks of the noble Neuse, and watch the dead fish float by."

PERSONAL PRIVILEGE

Senator Basnight rises to a point of personal privilege and Lieutenant Governor Wicker directs, with unanimous consent, his remarks spread upon the Journal, as follows:

By Senator Basnight:

"To the Members of the Senate, I echo much of what Senator Horton says. And he certainly believes, as I do, that the deterioration is in part because of our previous inactions in retaining the waste that comes from agricultural operations in the form of spraying or fertilizing, or feeding our stock; not having in place regulations that will protect the waterways. That is gradually changing as we can see.

"But that blame cannot in totality lie just in the farming community. I'll give you an example, Senator Horton. I live on Shallibag Bay, a tributary of the Roanoke Sound, so named by our first colonists many, many years ago. That water, when I grew up, was a place where you could find shellfish. You could find fin fish. You could find shrimp and crabs, abundantly so. In fact, many of the families sustained theirself from what could be had there on that small bay. People could row in the waters of Shallibag and catch fish, striped bass. You could

get all the bottom fish, and again the oysters were very, very plentiful. I have in my office today, you can go review and see, a picture of the oyster catches of many years ago in Pamlico Sound. The—what was called skipjacks, to the north in the Chesapeake would come south to the Albemarle–Pamlico region to take our bivalves back north to seed the Chesapeake and feed the consumers in the New England states, in New York and other places. And they took them by huge boat loads. They were transferred from the small boats to the larger boats. And you could see that in that picture. But, bringing you back to Shallibag Bay, in my youth of being able to catch just about anything that the Bay offered. Well, without farming on Shallibag Bay today, without pigs, chickens, or soybeans, or corn fields, we have a dead Bay. We have a sewage treatment plant that discharges in Shallibag Bay as well as stormwater pipes that take the heavy rainfalls and quickly channel them through culverts that are underground systems—and this is just a small mirror of what happens all across North Carolina—and dumps it into the Bay to change the salinity and change the make–up of that little system. It has destroyed it.

"Man has destroyed it through his development practices. We haven't dramatically changed those development practices. The sewage treatment plants that today in the cities that we live in that dump into these drainage basins are ever increasing the amounts. Each and every new household that settles in North Carolina contributes some pain for the future of what our environment is. So when we speak of the farming community, let's add you and I at the same time. Let's remember each and every time that a new family moves in without different controls, without agreeable regulations that better manage this run–off, we will see further declines. And we'll see people like Edward Etheridge who has made his living, and his people before him, in the sounds and rivers of North Carolina remove theirselves from that employment. It is wrong to see it occur, and it's incumbent upon us to make those changes.

"Hopefully, Senator Horton, you and I and others will be aggressive enough in doing the right things to see that the laws protect these wetlands, this esturine system, this seed zone area that we have to have. This is a major step in a direction of doing that, in purchasing the properties that are deemed most valuable for these seed zones along our rivers, along our shores and our sounds for protection for evermore. I believe just through regulation it can be changed and I've seen it change and you have yourself. That does not offer the total protection that has to occur.

"I'm going to leave in telling you a little bit about the City of Raleigh. And I was told earlier this year in asking how much nitrates and phosphates enter the system, J. K., in the Neuse from Raleigh, our staff told us they didn't know, but the best guess was probably twenty thousand pounds. That's after you dry all the liquefied waste and you weigh the actual nitrates. They said, 'twenty thousand pounds.' I said, 'Well let me see the data,' so I could better understand it, that it was twenty thousand pounds. Did you calculate it on a per household, per person? How did you do it? Well they said, 'We guessed.' I said, 'Well let's take some samples, weigh the samples, dry them, and see what's there.' Well, they did that and to the amazement of everyone it was one point two million pounds of pure nitrates that were dumped every year in the Neuse; one point two million pounds! Now how much is dumped by all the sewage treatment plants that are found on our rivers? Everyone of those dumps have nitrates just like a farmer applies to his fields. They're in that suspended water column that goes in the

river. Every new family adds to that quantity and that total and to the decline of the water quality in the river. So, we can't just apply regulations to the farming community and succeed. We don't have regulations today like they do in other states that tell the operators of our city sewage treatment plants that you'll cap the amount of waste that you dump in our rivers. We don't demand that we use land application as they do in many areas. So that decline continues this year and will continue into next year until we control and harness what we dump into the water by all people—not just those in the farming community."

Senator Speed rises to a point of personal privilege and on motion of Senator Martin of Guilford, with unanimous consent, his remarks are spread upon the Journal, as follows:

By Senator Speed:

"Mr. President and Members of the Senate, it's gratifying to me to hear the remarks of Senator Basnight and those of Senator Horton. I, too, have been concerned about the pollution in our streams throughout the State. Of course, I haven't been affected like some of the counties in the lower areas of the State, like Senator Perdue, and Senator Basnight, and others. But I have been in a position to know that for many years there have been many abuses to the streams, even in my area. The farmland for many years was badly abused and the soil eroded, and the pollution continued to rise in the streams. And in recent years we have had government regulations that have helped improve the situation substantially, but we still need to do much more in the area of agriculture of which I have been especially interested in over the years.

"On my particular farm, I am pleased to say, that all of the land that I have is in a sod crop, grassland, or in trees, except a small portion that we grow tobacco. But, it is so important to preserve the soil, as well as the water, and they both go hand in hand because where the soil washes into the streams it increases the pollution also because it carries with it the many pollutants.

"And while I'm on my feet, I want to say to each of you, it has been a pleasure to work with the Members of the General Assembly in this Session, in particular, but in many Sessions of the past. It has been a wonderful experience, a very gratifying experience, to work with some of the most outstanding citizens in North Carolina. I have had the opportunity of serving under the leadership of six or probably seven Governors and many, many prominent citizens throughout North Carolina. We have had some of the most prominent citizens of our State to come to the General Assembly. When I first came to the General Assembly we were meeting probably three months every two years. It was not a hardship for many of us to do this. But, as the time has grown and State Government has grown, and the needs of the citizens of our State have grown, along with the population, it has become a full–time assignment. And that makes it more difficult for many of us to serve. And I know each of you who are here today are making a sacrifice because you are giving it your full time. Any time other than you are spending here, you are putting in extra hours. And I have done this, of course, for a number of Sessions in recent years because I had to carry on a little business back home.

"But it's going to be a drastic change for me to leave the General Assembly, but I want to tell you it's also gratifying in many ways because I can lighten my work load. And I think that is important. I do have, I think justifiable reasons to leave

the General Assembly, but I want to thank each of you for the support that you have given, and, of course, the kind words that have been said; and the press, of course, has been especially nice in recent days, they haven't in some previous days. But, at any rate, I appreciate all of it. If I had known so many good things were going to be said, I suspect I would have dropped out earlier. (Laughter) But, it has been a gratifying experience, and I want to thank all of you and tell you I love you and I'll miss you, but I will be, be coming back to watch over your shoulders and so forth. And I hope I will be able to help some of you in your endeavor to continue in the political arena.

"I want to tell you a little short story that's true, and it was, I regret that Senator Edwards is not here. But this is the first time I've had the opportunity in the last several days, any way. But a number of years ago, I was a bird hunter, and I had bird dogs. And I was a pretty good shot back then. I could kill quail pretty good. And, as a matter of fact I was pretty good with a rifle. I have—I was walking around the farm one afternoon with my rifle, just carried it along thinking I might see a snake or something, or so forth. But I went—I traveled through a little path of woods, and a squirrel jumped out of a big hickory tree and started to running real fast through the, through the limbs of the trees, and he was running so fast I couldn't shoot him, running. And, of course, it's just a chance to shoot a squirrel running with a rifle any way. Sometimes we hit; sometimes we miss. But I saw that I couldn't shoot the squirrel, but I saw he was headed for a hole in a hollow tree. And I knew that's where he was going. So I aimed at the hole instead of the, instead of the squirrel. I wanted to tell you when that squirrel jumped for that hole it was a one millionth of a second from the time that he jumped to the time that he went in; but I hit him directly and killed him dead. So that, that was an experience of shooting at the hole rather than the squirrel. (Laughter)

"But I want to tell you about my bird dog. Back in those days we used a lot of dynamite on farms. And it wasn't much problem to buy dynamite. We could buy it by the case, hundred sticks at the time. Now, of course, because of terrorism and so forth, it's highly restricted and it's almost impossible to buy. But I have bought many cases of one hundred and used it in blowing up stumps, and we used it to blow out channels, ditches to drain the wetland. And I had placed an entire case of dynamite in this wetland area in a long row in the channel about eighteen inches apart, each stick. And we put a fuse in one stick at the end of the ditch of the area that we were planning to ditch, and when that exploded it would explode all of it from the impact. So I had, had loaded the dynamite into the ditch, pushed it down into the mud, and so forth. And had lit the fuse at the end and started to leave and I looked back and saw my bird dog was up there. And the bird dogs, of course were accustomed to smelling powder and that black powder in the fuse of the dynamite, it just attracted that dog to the extent that he was pointing just like pointing a bird. He was really enthused about it. And I had gotten about fifty yards away and I couldn't afford to go back to get him. I tried to call him away, and he wouldn't come. And my Jeep was sitting out close by, and he liked to ride in the Jeep. So I cranked up the Jeep and blew the horn and started off slowly, but he wouldn't move. He continued to point just like pointing a bird. And I went up the road about a quarter of a mile and I had a Afra–American preacher with me, Senator Ballance, Senator Martin. And he was helping me. He was preaching part–time and helping me on the farm part–time. And we were standing up watching for the explosion, and that Afra–American

preacher, I noticed, was praying; he was excited about it and he was looking upward, and I, I assume was praying. But any way, the explosion went off, and mud and bull rush and stumps and roots went up higher than any building in this city. And they just really covered the earth for a good bit. And after everything had settled I went back to see if I could find a part of the dog. And, lo and behold, he was down in the ditch covered up with mud. And I saw him wiggling a little bit, thought at first it was a turtle. And he came up a little more, and I saw it was the dog. So I figured he was, had a little life left so I jumped down in the mud and pulled him out. Got him out, carried him out to the branch and washed him off and he was sort of chilly. It was early in spring. And I carried him to the house and put him in the bathtub with warm water and washed him. The dog never missed a meal. That's the honest truth! One of the most miraculous thing, experiences I have ever had. And I just assumed, Senator Ballance, that the Afra–American preacher had a part in it. Thank you."

RECORDED VOTES

H.B. 53 (Senate Committee Substitute), a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, and to make other changes in the budget operation of the State, with the Conference Report having been adopted earlier today.

Arriving in the Chamber, Senator Lucas and Senator Hartsell offer a motion the rules be suspended to the end they may be allowed to be recorded voting for the adoption of the Conference Report. The Chair fails to entertain the motion citing the Senate no longer in possession of the measure upon receipt of a message from the House of Representatives of its adoption of the Conference Report and order of its enrollment.

The Chair orders the Journal reflect Senator Lucas and Senator Hartsell support adoption of the Conference Report.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A special message is received from the House of Representatives transmitting a joint resolution which is read the first time and disposed of, as follows:

H.J.R. 46 (Committee Substitute), a joint resolution providing for adjournment *sine die* of the 1996 Second Extra Session, received with House Amendment No. 1 not engrossed.

On motion of Senator Rand, the rules are suspended, without objection, and the joint resolution is placed before the Senate for immediate consideration upon its passage.

The joint resolution passes its second (34–0) and third readings and is ordered enrolled.

ENROLLED BILLS

The Enrolling Clerk reports the following bills and a resolution properly enrolled and they are duly ratified and sent to the Office of the Secretary of State:

H.B. 53 (Senate Committee Substitute), an act to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, and to make other changes in the budget operation of the State. (Ch. 18)

H.B. 30 (Senate Committee Substitute), an act to refund to federal retirees the unconstitutional taxes they paid on their pensions for tax years 1985 through 1988. (Ch. 19)

S.B. 2, an act to authorize Craven County to levy an additional room occupancy tax and to revise the existing Craven County room occupancy tax. (Ch. 20)

H.J.R. 46 (Committee Substitute), a joint resolution providing for adjournment *sine die* of the 1996 Second Extra Session. (Res. 1)

Ascertaining no further business to come before the Senate, the Chair orders a message sent to the House of Representatives informing that Honorable Body that the Senate has completed the business for which it was convened into a Second Extraordinary Session and stands ready to adjourn this Extra Session *sine die,* upon receipt of a like message from that Honorable Body.

SPECIAL MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following special message is received from the House of Representatives:

H.J.R. 46
(Committee Substitute)

House of Representatives
August 3, 1996

Mr. President:

It is ordered that a message be sent your Honorable Body respectfully advising that in accordance with **HJR 46**, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT *SINE DIE* OF THE 1996 SECOND EXTRA SESSION, the House of Representatives has concluded the public business before it and stands ready to adjourn.

Upon receipt of a message from your Honorable Body that the Senate is ready to open its doors, the doors of the House shall be open to the end that the gavels may fall simultaneously and adjournment may be declared *sine die.*

Respectfully,
Denise G. Weeks
S/sw
Principal Clerk

Senator Basnight, seconded by all Members present, offers a motion the Senate of the 1995 General Assembly, meeting in Extra Session under the call of the Governor, do now adjourn, *sine die.*

Pursuant to the message that the House of Representatives has concluded the business before it and having notified that Honorable Body that the Senate has completed the business before it, the President of the Senate declares the Senate stands ready for adjournment, *sine die.* The President orders the doors of the

Senate thrown open. The Speaker of the House of Representatives is perceived standing ready to let the gavel fall.

The motion heretofore offered by Senator Basnight, seconded by all Members present, prevails. The hour for adjournment *sine die* as fixed by Resolution 1 having arrived, the President of the Senate, Lieutenant Governor, Dennis A. Wicker, declares the Senate of the 1995 General Assembly sitting in a Second Extra Session adjourned at 9:27 A.M., *sine die.*

DENNIS A. WICKER
President of the Senate

SYLVIA MORRIS FINK
Principal Clerk of the Senate

ADDENDUM



It will be noted that a number of bills and resolutions passed second reading and then were read a third time on the same day.

Rule 50 states:

> No bill on its third reading shall be acted upon out of the regular order in which it stands on the calendar, and no bill shall be acted upon on its third reading the same day on which it passed its second reading, unless so ordered by two–thirds of the membership of the Senate present and voting.

In order to comply with this Rule, no bill which has passed its second reading is read a third time except:

(1) when a member moves that the Rule be suspended, and this motion prevails by at least a two–thirds vote of the membership of the Senate present and voting, or

(2) when the Chair determines that there is no objection from any member present, which constitutes unanimous consent that Rule 50 be suspended.

In these cases, the bill is read a third time and remains before the Senate for further consideration.

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It will be noted the phrase "without objection" appears throughout the Senate Journal. Upon a motion offered, this reflects a determination by the Chair there is no objection from a member present, which constitutes unanimous consent, for the order of the Chair.

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It will be noted that when a bill passes its second reading and remains on the Calendar for further consideration, unless indicated otherwise, the measure is placed on the Calendar for the next legislative day in its regular order of business.

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It will be noted that Rule 20(2) of the House of Representatives requires that *"all measures affecting a fee imposed by the State or any subdivision thereof"* are classified roll–call measures for the purpose of spreading the ayes and noes on the Journal. Though the Senate Rules do not require, the Rule of the House of Representatives is honored and the measures are considered as roll–call measures, unless ruled otherwise by the presiding officer.

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It will be noted the Presiding Officer of the Senate rules in a number of instances that *"the bill does not require a call of the roll"* or *"requires a call of the roll."* The ruling is made pursuant to the following citation which reads:

North Carolina Constitution—Article II

> Sec. 23.—*Revenue bills.* No laws shall be enacted to raise money on the credit of the State, or to pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any tax upon the people of the State or to allow the counties, cities, or towns to do so, unless the bill for the purpose shall have been read

three several times in each house of the General Assembly and passed three several reading, which readings shall have been on three different days, and shall have been agreed to by each house respectively, and unless the yeas and nays on the second and third readings of the bill shall have been entered on the journal.

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It will be noted that numerical figures appear within parentheses throughout the Senate Journal. These figures represent the affirmative and negative votes cast and recorded electronically, pursuant to Senate Rule 25. Copies of the voting print–out are on file in the Legislative Library and the original is deposited in the Division of Archives and History of the Department of Cultural Resources. A recapitulation of votes taken electronically in sequential order is found on page 391.

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It will be noted that messages from the House of Representatives from August 2, 1996, through adjournment, *sine die*, reflect initials of "sw" following the name of Denise G. Weeks, *Principal Clerk.* This reflects the Administrative Clerk, Shirley Wallace, was serving in the absence of the Principal Clerk.

Sylvia Fink
Principal Clerk

1995 GENERAL ASSEMBLY REPORTS
RECEIVED SINCE ADJOURNMENT *SINE DIE*
OF THE SECOND SESSION OF THE 1995 GENERAL ASSEMBLY

AN AGENCY DIRECTED TO REPORT TO THE GENERAL ASSEMBLY SUBMITTED THE FOLLOWING:

AUTHORITY	TITLE	DIRECTED TO REPORT	RECEIVED
Ch. 507, Sec. 23.11A 1995 Session Laws	Department of Human Resources Quarterly Report on Domiciliary Care	Quarterly	7/15/96

H.B. 53 (Proposed Conference Committee Substitute 4294)
August 3, 1996—See page 326

JOINT APPROPRIATIONS COMMITTEE HOUSE/SENATE CONFERENCE REPORT ON BUDGET MODIFICATIONS

August 3, 1996

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Total General Fund Appropriations for 1996–97 as Revised

Operating Budget	1995 Session Authorizations	Total Decreases/ Transfers	Total Increases/ Transfers	Net Change	1996–97 Revised Totals
Reserves/Debt					
Compensation Increase	101,336,570	(1,879,377)	269,426,184	267,546,807	368,883,377
Salary Adjustment Fund	2,300,000	0	1,500,000	1,500,000	3,800,000
Retirement Rate Adjustment	325,600	(325,600)	0	(325,600)	0
Postage Reduction	0	(300,000)		(300,000)	(300,000)
Fixed Period of Amortization	(6,410,000)	0	0	0	(6,410,000)
Reserve for Military Affairs	0	0	200,000	200,000	200,000
Reserve Administrative Rules	167,000	0	0	0	167,000
Reserve for Criminal Justice Information	0	0	400,000	400,000	400,000
Reserve for Structured Sentencing	0	0	1,433,800	1,433,800	1,433,800
Reserve Child Support Legislation	170,000	0	0	0	170,000
Contingency & Emergency Fund	1,125,000	0		0	1,125,000
Debt Service	139,482,588	(9,000,000)	0	(9,000,000)	130,482,588
Total Reserves	**238,496,758**	**(11,504,977)**	**272,959,984**	**261,455,007**	**499,951,765**
Education					
Community Colleges	451,797,010	(3,200,000)	23,995,894	20,795,894	472,592,904
Public Education	4,020,322,518	(21,312,465)	119,333,581	98,021,116	4,118,343,634
University	1,290,015,276	(26,308,388)	50,985,817	24,677,429	1,314,692,705
Total Education	**5,762,134,804**	**(50,820,853)**	**194,315,292**	**143,494,439**	**5,905,629,243**
Justice & Public Safety					
Justice	57,685,957	0	1,260,151	1,260,151	58,946,108
Crime Control	31,429,550	(247,880)	986,824	738,944	32,168,494
Judicial	282,821,415	(1,250,000)	9,145,957	7,895,957	290,717,372
Correction	837,205,300	(41,636,635)	4,422,353	(37,214,282)	799,991,018
Total Justice & Public Safety	**1,209,142,222**	**(43,134,515)**	**15,815,285**	**(27,319,230)**	**1,181,822,992**
Human Resources	**2,176,379,929**	**(58,739,284)**	**50,230,447**	**(8,508,837)**	**2,167,871,092**
Natural & Economic Resources					
Agriculture	45,745,793	0	972,020	972,020	46,717,813
Commerce	35,622,934	(508,163)	11,861,497	11,353,334	46,976,268
Housing Finance Agency	2,300,000	0	3,500,000	3,500,000	5,800,000
MCNC	19,765,000	(14,000,000)	0	(14,000,000)	5,765,000
NC Biotechnology	7,664,396	0	1,000,000	1,000,000	8,664,396
REDC	3,170,000	0	2,700,000	2,700,000	5,870,000
En/Health/ Natural Resources	230,733,328	(1,144,852)	22,634,978	21,490,126	252,223,454
Labor	14,941,825	0	419,183	419,183	15,361,008
Total Natural & Economic Resources	**359,943,276**	**(15,653,015)**	**43,087,678**	**27,434,663**	**387,377,939**
General Government					
General Assembly	30,702,253	(225,000)	0	(225,000)	30,477,253
Administration	53,643,431	(1,127,927)	857,878	(270,049)	53,373,382
Auditor	8,932,111	0	175,000	175,000	9,107,111

Operating Budget	1995 Session Authorizations	Total Decreases/ Transfers	Total Increases/ Transfers	Net Change	1996–97 Revised Totals
General Government *(Continued)*					
Governor's Office	6,036,011	(31,388)	0	(31,388)	6,004,623
State Budget	3,578,579	(37,689)	0	(37,689)	3,540,890
State Planning	1,793,484	(5,000)	0	(5,000)	1,788,484
Lt. Governor	578,729	0	0	0	578,729
Cultural Resources	45,912,887	(290,412)	3,756,715	3,466,303	49,379,190
Revenue	62,759,365	(139,124)	1,933,000	1,793,876	64,553,241
Rules Review Commission	262,661	0	0	0	262,661
Secretary of State	4,834,390	(68,291)	505,339	437,048	5,271,438
State Treasurer	17,949,147	0	2,200,000	2,200,000	20,149,147
Board of Elections	4,336,673	0	175,000	175,000	4,511,673
Administrative Hearings	2,046,136	0	262,754	262,754	2,308,890
State Controller	10,321,531	(590,134)	9,526,119	8,935,985	19,257,516
Insurance	20,451,396	(1,361,161)	3,256,525	1,895,364	22,346,760
Total General Government	**274,138,784**	**(3,876,126)**	**22,648,330**	**18,772,204**	**292,910,988**
Transportation	**10,147,210**	**0**	**0**	**0**	**10,147,210**
Total Operating Budget Changes	**10,030,382,983**	**(183,728,770)**	**599,057,016**	**415,328,246**	**10,445,711,229**
Capital Improvements	**157,267,000**	**0**	**0**	**0**	**157,267,000**
Grand Total	**10,187,649,983**	**(183,728,770)**	**599,057,016**	**415,328,246**	**10,602,978,229**

AVAILABILITY FOR APPROPRIATIONS

		Recurring	Non-Recurring	Total
1995–96 ENDING CREDIT BALANCE			**$724.4**	**$724.4**
Less: Transfer to Repair & Renovation Reserve			(130.0)	(130.0)
Transfer to Clean Water Management Trust Fund			(47.1)	(47.1)
Transfer to Savings Reserve Account			(77.4)	(77.4)
Transfer to Capital Improvement Reserve			(39.5)	(39.5)
Transfer to Federal Retiree Refund Account			(26.2)	(26.2)
Plus: Reserved 1994–95 Disproportionate Share Funds			1.6	1.6
Subtotal			**$405.8**	**$405.8**
Revenue Collections Unaddressed by 1995 Session		242.1	(47.8)	194.3
Projected Revenue Collections Above 1995 Session		193.9	(84.5)	109.4
Disproportionate Share Revenue Estimates Lowered			(15.7)	(15.7)
Non-Tax Revenue:				
a. Increase Court Fees	4.2			
b. Local Sales Tax. Local Government Commission	1.2	4.5	0.9	5.4
TOTAL AVAILABILITY		**$440.5**	**$258.7**	**$699.2**
Reserve for Tax Reductions and Federal Retirees Refunds/Credits		**(49.5)**	**(35.7)**	**(85.2)**
REMAINING AVAILABILITY		**$391.0**	**$223.0**	**$614.0**
Appropriations:				
Expansion Increases (Net)		(113.1)	(32.9)	(146.0)
Compensation Increases		(265.3)	(4.1)	(269.4)
Subtotal		**(378.4)**	**(37.0)**	**(415.4)**
ENDING AVAILABILITY		**12.6**	**186.0**	**198.6**

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

(Pages A1–A2)	GENERAL FUND	
COMMUNITY COLLEGES	**FY 96–97**	
Total Budget Approved 1995 Session	**$451,797,010**	
Budget Changes		
(0000) All Divisions		
1 **Tuition Shortfall–**	$3,826,317	**R**
Offsets the tuition loss due to free tuition for such groups as senior citizens, police, firefighters, emergency services personnel, prison inmates, etc.		
2 **Enhance Curriculum Funding Formula–**	$6,000,000	**R**
Adds funds for curriculum formula to improve technical, vocational, and college transfer degree programs.		
3 **Enrollment Adjustment–**	($3,200,000)	**R**
The enrollment reports indicate a decline in total FTE students. The appropriation is adjusted to reflect actual enrollments for 1995–96.		
4 **Occupational Extension Formula Enhancement–**	$1,000,000	**R**
Increases the unit value in the occupational extension funding formula from $21,857 to $23,056.		
5 **Equipment Funds–**		
Adds additional money for equipment purchases.	$10,000,000	**NR**
6 **Library Books–**		
Adds money for the purchase of additional library books.	$1,950,000	**NR**
7 **Teaching Faculty Enhancement Funds**	$1,219,577	**R**
To provide .5% salary adjustment funds.		
Budget Changes	**$8,845,894**	**R**
	$11,950,000	**NR**
Total Position Changes		
Revised Total Budget	**$472,592,904**	

Summary of Budget Changes: Community Colleges

	Recurring	Nonrecurring	Positions
Reductions	($3,20,000)		
Increases	$12,045,894	$11,950,000	

(Pages A3–A5)	GENERAL FUND	
PUBLIC EDUCATION	**FY 96–97**	
Total Budget Approved 1995 Session	**$4,020,322,518**	
Budget Changes		
(0000) All Divisions		
8 **School Safety and Violence Prevention**	$14,200,000	**R**
Provides additional funding for local school systems to add additional school safety officers and alternative learning programs for at–risk students.		
(0000) All Divisions		
9 **Liability Insurance for Teachers**	$800,000	**R**
Provides comprehensive general liability insurance protection, including coverage for errors and omissions, for teachers employed by the local school administrative units.		
10 **Additional Funds for Average Daily Membership**	$54,051,018	**R**
Additional funds to pay for projected increases in average daily membership in FY1996–97. Average daily membership growth for FY1996–97 is projected at 34,658.		

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Public Education *(Continued)*	GENERAL FUND FY 96–97	
11 **Adjust Average Salary For Certified Personnel** Each year the General Assembly reviews the budgeted salary projections for all certified personnel. Usually because of turnover that salary is lower than what is actually budgeted. This change does not reduce any salary paid to certified personnel.	($21,312,465)	**R**
12 **ABC Funds** Provides funding for ABC incentive grants to schools that achieve higher than the student performance goals established by the State Board of Education. (See special provision)		
13 **Assistance Teams to Low Performing Schools** Funding for assistance teams for school buildings identified as low performing under the State Board of Education's ABC Program. Funded from funds appropriated to State Aid to Local School Administrative Units.		
14 **Staff Development Funds** Additional staff development funds for teachers. These funds will be allocated to local school systems by the State Board of Education.	$3,000,000	**NR**
15 **Reduce Class size in Grade 2** Funding to reduce class size in grade 2 from the current allocation ratio of 1:26 to 1:23. Special provision grants local school systems flexibility in the use of these funds.	$18,442,095	**R**
16 **School Technology Funds** Provides additional funds for school technology to be distributed on average daily membership of the school districts. These funds will become part of the School Technology Trust Fund.	$10,000,000 $10,000,000	**R** **NR**
17 **Low Wealth Supplemental Funding** Provides additional funding for low wealth school systems under the formula adopted by the General Assembly. Total funding for FY1996–97 will total $46,483,809.	$5,000,000	**R**
18 **A+ Schools** Provdes funding to continue the A+ school pilot project. Matching funds will come from the Kenan Charitable Trust.	$500,000	**NR**
19 **Funding for the Academically Gifted** Increases funding for the academically gifted to 4% of average daily membership beginning in FY1996–97.	$807,876	**R**
20 **Global Curriculum** Provides funding to the State Board of Education to improve the knowledge of middle and high school students in international and cultural studies.	$150,000	**NR**
21 **McSmiles Program** Funding for the McSmiles mobile preschool program.	$50,000	**NR**

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Public Education *(Continued)*	GENERAL FUND FY 96–97	
22 **N.C. Professional Teaching Standards Commission** Provides operating support for the N.C. Professional Teaching Standards Commission.	$230,580	R
23 **N.C. Standards Board for School Administrators** Provides funds to continue the development of a multi state certification exam for school administrators.	$200,000	NR
24 **National Board for Profession Teaching Standards** Provides additional funds to pay for the assessment fee for candidates seeking National Board Certification, and for the days that teachers may take off from school to prepare for the National Board.	$734,012	NR
25 **North Carolina Close Up** Provides funds for a grant to North Carolina Citizenship Education Inc. to fund the Close Up Program.	$15,000	NR
26 **School Bus Drivers Vacation Days** Provides a minimum of one vacation day for school bus drivers	$124,000	R
27 **School Facilities Assistance** Provides funding to the Department of Public Instruction to establish a clearing house for prototypical designs for school construction.	$50,000	NR
28 **Site Based Task Force Expenses** Provides funds to the State Board of Education to contract for consulting services for the Site Based Management Task Force.	$29,000	R
29 **Total Quality Education** Provides funding to the North Carolina Business Committee on Education for assistance in training to educators in Total Quality Management (TQE).	$450,000	NR
30 **Cities/Communities in Schools** Provide funds to expand the assistance provided by CIties/Communities in Schools, and provided for the expansion of the program into additional North Carolina counties.	$500,000	R
Budget Changes	**$82,872,104**	**R**
	$15,149,012	**NR**
Total Position Changes		
Revised Total Budget	**$4,118,343,634**	

Summary of Budget Changes: Public Education

	Recurring	Nonrecurring	Positions
Reductions	($21,312,465)		
Increases	$104,184,569	$15,149,012	

(Pages A6–A9)

UNC SYSTEM	GENERAL FUND FY 96–97	
Total Budget Approved 1995 Session	**$1,290,015,276**	
Budget Changes		
(0000) All Divisions		
31 **Adjust Continuation Budgets**		
a. Reduce funding in reserves for new facilities due to delays in completion dates.	($1,905,288)	NR

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

UNC System *(Continued)*	GENERAL FUND FY 96–97	
32 **Adjust Continuation Budgets** b. Overhead Receipts: Increase estimated overhead receipts based on 1995–96 actual receipts.	($201,780)	R
33 **Enrollment Reduction** Reduce budgeted enrollment to revised projections which are 935 FTE students lower than originally estimated	($4,201,320) –57.40	R
34 **Enrollment Formula: Equity** Increase funding formula for new students to full cost as recommended by study of funding equity and by UNC Board of Governors. Effect is to prevent schools which are growing in size from losing ground in funding per student.	$1,071,884	R
35 **Equity Study Funding** Funds to provide one–time funding of at least 37.5% of amounts recommended to equitably fund five campuses cited in UNC Board study as being relatively underfunded in general operating appropriations. Study on permanent funding methods is due from Board 11/96	$2,226,000	NR
36 **UNC Hospitals** Reduce General Fund appropriations due to large cash balances accumulated by Hospitals while operating as an enterprise fund.	($20,000,000)	NR
37 **Strengthen Undergraduate Education** Provide funds for Board of Governor's request to monitor campus performance in improving undergraduate education as part of revised accountability plan.	$200,000 1.00	R
38 **Equipment, Computing and Telecommunications** Funds to address Board's request for technology and equipment funding	$1,000,000	NR
39 **Distance Learning and Capacity Efforts** Provide additional access at off–campus sites, including "2+2" engineering programs from NC State, alternative efforts to increase use of summer school, increase distance learning efforts, etc.	$1,930,000 $325,000 4.00	R NR
40 **Distance Learning Initiatives** Funding for equipping Engineering Graduate Research Center at NC State, and increasing availability of engineering educational opportunities through distance learning technologies through three UNC Schools of Engineering.	$500,000 $1,200,000 3.00	R NR
41 **Programs to Support the Public Schools:a** Training for local school board members	$192,617 3.00	R
42 **Programs to Support the Public Schools:b** Improve technology curriculum in Principals' Executive Program	$373,300 3.00	R
43 **Programs to Support the Public Schools:c** Additional funding for the Teacher Academy	$500,000	R
44 **Programs to Support the Public Schools:d** Expand services of the NC Center for the Advancement of Teaching	$250,000 4.00	R

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

	UNC System *(Continued)*	GENERAL FUND FY 96–97	
45	**Distinguished Professorships Endowment Funds** Increase state matching funds that leverage private donations for endowing professorships on the campuses	$500,000	**NR**
46	**Academic Enhancement for Research Campuses** Funds to enhance the international competitiveness of the Research University I campuses	$17,800,000	**R**
47	**Teaching Faculty Enhancement Funds** One–half percent salary adjustment funds for teaching faculty at 14 UNC campuses effective 9/1/96. Research I campuses receiving Academic Enhancement funds are not included.	$1,432,324	**R**
48	**Institute of Gerontology** Interinstitutional program to address issues and research on aging	$450,000	**R**
49	**Institute for Families** Start up funds for this institute to be funded from private donations at UNC–CH	$150,000	**NR**
50	**Operating Support** Additional support for operations at UNC–CH	$400,000	**R**
51	**Aid to Local Governments** Additional funds for technical assistance and training programs for local governments provided through the Mountain Resource Center	$130,000 2.00	**R**
52	**Tuition Remission** Increase the number of graduate tuition remission awards by approximately 10%	$1,684,532	**R**
53	**Agricultural Research:Turkeys** Funding for research into diseases affecting turkey production	$1,000,000	**NR**
54	**Agricultural Research:Turfgrass** Funds to carry out research for turfgrass industry	$250,000	**NR**
55	**Agricultural Research:Fish Hatcheries** Funds to enhance research projects to establish fingerling production	$90,000	**NR**
56	**Cooperative Extension Service** Funds to provide additional staff and operating support for education and training efforts to help farmers understand and implement environmental practices such as best management practices and integrated pest management in their farming operations	$450,000 6.00	**R**
57	**Aid to Students Attending Private Colleges** a. Increase Legislative Tuition Grant from $1,250 for each fulltime student to $1,300 for each fulltime student b. Increase State Contractual Scholarship Program from $550 per fulltime–equivalent (FTE) student to $600 per fulltime–equivalent (FTE) student for need–based scholarships	$2,193,676	**R**
58	**Aid to Students Attending Private Colleges** Cover shortfall in both programs based on 95–96 enrollments	$1,686,484	**R**

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

UNC System *(Continued)*	GENERAL FUND FY 96–97	
59 **Transfers**	$13,000,000	**R**
Transfer of funds from Department of Commerce for MCNC (Microelectronics Center) to UNC Board of Governors for purchase of supercomputing and research and educational networking services.		
Budget Changes	**$39,841,717**	**R**
	($15,164,288)	**NR**
Total Position Changes	–31.40	
Revised Total Budget	**$1,314,692,705**	

Summary of Budget Changes: UNC System

	Recurring	Nonrecurring	Positions
Reductions	($4,403,100)	($21,905,288)	–57.40
Increases	$44,244,817	$6,741,000	26.00

(Pages B1–B2)

ADMINISTRATION	GENERAL FUND FY 96–97	
Total Budget Approved 1995 Session	**$53,643,431**	
Budget Changes		
(0000) Multiple Divisions		
1 **Reallocate Overhead Expenses**	($48,617)	**R**
Increases receipts by allocating administrative costs to receipt–supported divisions.		
(1111) Secretary's Office		
2 **Delete Funds Appropriated for Grants**	($50,000)	**R**
Delete's funds that were intended to be non–recurring but that were inadvertently continued for Americans with Disabilities Act coordinator.		
(1241) Information Services		
3 **Eliminate Positions**	($91,617)	**R**
Eliminates processing assistant IV, computer operator II, information systems coordinator I	–3.00	
(1411) Office of State Construction		
4 **Make three positions permanent**	$258,524	**R**
Changes status of three positions from time–limited to permanent.	3.00	
(1421) Facilities Management		
5 **Reduce Utilities**		
Reduce utilities due to a change in construction schedules for Old Education and Revenue Building	($764,000)	**NR**
(1511) Purchase and Contract		
6 **Eliminate Positions**	($173,693)	**R**
Eliminates secretary, office assistant, state procurement specialist III, and a state purchase administrator.	–4.00	
(1623) State Capitol Police		
7 **Additional Positions for New SBI Facility**	$90,378	**R**
Salaries and Benefits $89,628	$8,976	**NR**
Uniforms $2,142		
Equipment $6,864	3.00	
Medical Costs $ 720		

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Administration *(Continued)*	GENERAL FUND	
(1781) Domestic Violence Program	**FY 96–97**	
8 **Increase domestic violence program funding**	$500,000	**R**
Provides funding for new local DV programs, and increases grants to all local programs.		
Budget Changes	**$484,975**	**R**
	($755,024)	**NR**
Total Position Changes	–1.00	
Revised Total Budget	**$53,373,382**	

Summary of Budget Changes: Administration

	Recurring	Nonrecurring	Positions
Reductions	($363,927)	($764,000)	–7.00
Increases	$848,902	$8,976	6.00

(Page B3)	GENERAL FUND	
AUDITOR	**FY 96–97**	
Total Budget Approved 1995 Session	**$8,932,111**	
Budget Changes		
(0000) All Divisions		
9 **Funds to cover increased data processing**	$0	**R**
Expenditures are increased by $75,000 through budgeting over realized receipts		
(1110) Administration and Budget Division		
10 **Increase Travel**	$0	**R**
Increases travel expenditures by $6,000 by budgeting over realized receipts		
(1120) Support Services		
11 **Employee Education**	$0	**R**
Increases expenditures for employee education by $75,800 through budgeting over realized receipts		
(1210) Field Audit Division		
12 **Data Processing Equipment Replacement**		
Funding for the replacement of computer equipment.	$175,000	**NR**
Budget Changes	**$0**	**R**
	$175,000	**NR**
Total Position Changes		
Revised Total Budget	**$9,107,111**	

Summary of Budget Changes: Auditor

	Recurring	Nonrecurring	Positions
Reductions			
Increases	$0	$175,000	

(Pages B4–B7)	GENERAL FUND	
CULTURAL RESOURCES	**FY 96–97**	
Total Budget Approved 1995 Session	**$45,912,887**	
Budget Changes		
(1110) Office of the Secretary		
13 **Lost Colony Federal Match**		
Appropriate State funds for a reserve to match on a dollar–for–dollar basis federal funds to support the Lost Colony Outdoor Drama.	$1,000,000	**NR**

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

	GENERAL FUND	
Cultural Resources *(Continued)*		
(1120) Administrative Services	FY 96–97	
14 **Automation Requirements**	$25,000	**R**
Add funding to install network, software, and data processing requirments related to the NCAS:	$81,000	**NR**
2199 Misc Contractual Services – $24,000 NR		
2490 Maintenance Agreements – $5,000 R		
2522 Rental/Leases – $10,000 R		
2821 Comm/Data Processing – $10,000 R		
4522 Equipment – $57,000 NR		
(1210) Archives and History – Admin		
15 **Telecommunications**	($10,000)	**R**
2811 Reduce funding for telephone expense.		
(1230) Archives and Records		
16 **2390 Repair Services**	$95,715	**R**
Provide funds to meet mandate of public records management authorized in the 1995 Session.		
(1241) State Historic Sites		
17 **Reduce line–item expenditures in the division:**	($77,000)	**R**
2390 Repairs/Other ($15,000)		
2714 Transportation/In–State ($20,000)		
2811 Telephone ($1,000)		
2840 Postage,Freight,Delivery ($2,000)		
3350 Motor Vehicle ($4,000)		
3900 Other Materials & Supplies ($2,000)		
4511 Office Furniture ($3,000)		
4521 Autos, Trucks ($6,000)		
4522 Equipment–Computer ($1,000)		
4610 Art & Artifacts ($22,000)		
4710 Computer Software ($1,000)		
(1250) Archaeology and Historic Preserv.		
18 **Adjust funds for line–items in the division:**	($5,474)	**R**
2590 Rent/Lease Other Property ($3,300)		
2850 Printing ($1,174)		
2942 Other Employee Education ($1,000)		
(1270) Museum of History		
19 **Reduce various operating expenditure line–items:**	($82,575)	**R**
2210 Engin. Serv. ($2,000)		
2811 Telephone ($5,000)		
2821 Computer/Data Proc. ($5,000)		
2840 Postage ($4,000)		
2850 Printing ($10,000)		
2860 Advertising ($10,000)		
3110 Office Supplies ($6,000)		
4511 Office Furniture ($9,575)		
4539 Other Equipment ($2,000)		
4541 Autos,Trucks ($15,000)		
4610 Art, Artifacts ($10,000)		
4630 Library ($2,000)		
5830 Memberships ($2,000)		
20 **Costs to Maintain Documents**	$100,000	**R**
Provide funds to comply with new requirements for handling public records:		
4522 Equipment – $60,000 R		
4710 Intangible Assets – $40,000 R		

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Cultural Resources *(Continued)*		GENERAL FUND FY 96–97	
(1320) Museum of Art			
21 **Adjust line–item expenditures:**		($65,863)	**R**
2199 Misc. Contractual Services	($16,000)		
2714 Transp./In–State	($4,000)		
2860 Advertising	($15,000)		
2919 Other Insurance	($4,000)		
3240 Carpentry & Hardware Supplies	($13,000)		
3900 Other Materials & Supplies	($6,863)		
4610 Art and Artifacts	($7,000)		
(1320) NC Museum of Art			
22 **2199 Misc Contractual Services**			
Provide State match grants for federal and foundation grant funds available to meet expenses of the 50th Anniversary Celebration in 1997.		$255,000	**NR**
(1410) State Library Services			
23 **4630 Art and Artifacts**		$200,000	**R**
Approriate funds to meet mandate of public records management.			
24 **Adjust operating expenditures:**		($12,500)	**R**
2840 Postage	($7,500)		
4630 Library/Book Purchases	($5,000)		
(1480) Statewide Programs & Grants			
25 **Grant Funds**		($37,000)	**R**
6951 Eliminate funding to State institutional libraries.			
26 **6960 Aid to Counties**		$2,000,000	**R**
Provide funds to increase grants to public libraries.			
Budget Changes		**$2,130,303**	**R**
		$1,336,000	**NR**
Total Position Changes			
Revised Total Budget		**$49,379,190**	

Summary of Budget Changes: Cultural Resources

	Recurring	Nonrecurring	Positions
Reductions	($290,412)		
Increases	$2,420,715	$1,336,000	

(Page B8)

	GENERAL FUND FY 96–97	
GENERAL ASSEMBLY		
Total Budget Approved 1995 Session	**$30,702,253**	
Budget Changes		
(1900) Reserves and Transfers		
27 **Reduce Reserve for Contingencies**	($225,000)	**R**
Reduce Reserve for Contingencies Object Code 8304		
Budget Changes	**($225,000)**	**R**
Total Position Changes		
Revised Total Budget	**$30,477,253**	

Summary of Budget Changes: General Assembly

	Recurring	Nonrecurring	Positions
Reductions	($225,000)		
Increases			

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

(Page B9)	GENERAL FUND	
GOVERNOR	**FY 96–97**	
Total Budget Approved 1995 Session	**$6,036,011**	
Budget Changes		
(0000) All Divisions		
28 **Eliminate One Position**	($31,388)	**R**
Eliminate one position from the Governor's Office	–1.00	
Budget Changes	**($31,388)**	**R**
Total Position Changes	–1.00	
Revised Total Budget	**$6,004,623**	

Summary of Budget Changes: Governor

	Recurring	Nonrecurring	Positions
Reductions	($31,388)		–1.00
Increases			

(Pages B10–B11)	GENERAL FUND	
INSURANCE	**FY 96–97**	
Total Budget Approved 1995 Session	**$20,451,396**	
Budget Changes		
(0000) All Divisions		
29 **Eliminate Positions and Reduce Budget**	($121,100)	**R**
Eliminate 2 positions and reduce operating budgets throughout the department.	–2.00	
30 **Volunteer Fire and Rescue Workers' Compensation**	$3,000,000	**R**
This appropriation is needed to support the Workers' Compensation Fund for Volunteer Fire and Rescue Workers. This appropriation from the General Fund will not be reimbursed by the Insurance Regulatory Fund.		
31 **Audit of Out–of–State Collection Agencies**	$0	**R**
Additional operating expenses required to provide audit coverage of out–of–state collection agencies. These charges are billed directly to the collection agency.		
Expenditures $33,944		
Receipts ($33,944)		
Appropriations $0		
32 **Manufactured Building Division**	$0	**R**
Additional staff and operating expenses to handle increased workload due to growth in industry.		
Costs will be covered by Federal receipts.	3.00	
Staffing $132,743		
Other Expenses$30,500		
Receipts ($163,293)		
Appropriations $0		
(1123) Medical Database Commission		
33 **Medical Database Commission Elimination**	($1,240,061)	**R**
Eliminate the FY 96/97 certified budget for the Medical Database Commission. The MDC was eliminated by the General Assembly in the '95 Session.	–5.00	
(1300) Technical Services		
34 **Seniors Health Insurance Information Program**	$256,525	**R**
This appropriation replaces lost federal funding for the Seniors Health Insurance Information Program (SHIIP).		

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Insurance *(Continued)*

	GENERAL FUND FY 96–97	
Budget Changes	**$1,895,364**	**R**
Total Position Changes	–4.00	
Revised Total Budget	**$22,346,760**	

Summary of Budget Changes: Insurance

	Recurring	Nonrecurring	Positions
Reductions	($1,361,161)		–7.00
Increases	3,256,525		3.00

(Page B12)

OFFICE OF ADMINISTRATIVE HEARINGS	GENERAL FUND FY 96–97	
Total Budget Approved 1995 Session	**$2,046,136**	
Budget Changes		
(0000) All Divisions		
35 **Install New Computer System**	$7,458	**R**
The current computer system is 10 years old, inefficient, and no longer supported by the manufacturer. This funding will allow OAH to purchase a new computer system.	$255,296	**NR**
Budget Changes	**$7,458**	**R**
	$255,296	**NR**
Total Position Changes		
Revised Total Budget	**$2,308,890**	

Summary of Budget Changes: Office of Administrative Hearings

	Recurring	Nonrecurring	Positions
Reductions			
Increases	$7,458	$255,296	

(Page B13)

OFFICE OF STATE PLANNING	GENERAL FUND FY 96–97	
Total Budget Approved 1995 Session	**$1,793,484**	
Budget Changes		
(1410) Office of State Planning		
36 **Reduce Printing and Travel**	($5,000)	**R**
Budget Changes	**($5,000)**	**R**
Total Position Changes		
Revised Total Budget	**$1,788,484**	

Summary of Budget Changes: Office of State Planning

	Recurring	Nonrecurring	Positions
Reductions	($5,000)		
Increases			

(Pages B14–B15)

REVENUE	GENERAL FUND FY 96–97	
Total Budget Approved 1995 Session	**$62,759,365**	
Budget Changes		
(1600) Administration		
37 **Funds for the Integrated Tax Administration System**	$1,500,000	**R**
Provide funds to meet the increased number of transactions, and fully operate the major tax schedules.		

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Revenue *(Continued)*	GENERAL FUND FY 96–97	
(1620) Tax Administration		
38 **Intangibles Tax Positions**	$109,711	**R**
Continue funding for two positions to administer assessments and refunds associated with the repeal of the Intangibles Tax due to the three–year statute of limitations.	2.00	
(1660) Field Operations		
39 **Interstate Audit Positions**	$253,037	**R**
Add eight (8) new auditors and a Tax Techinician in the Interstate Audit Division. All positions effective January 1, 1997.	$58,040 9.00	**NR**
(1680) Legal and Administrative Services		
40 **Assist New Audit Positions**	$12,212	**R**
Add a Processing Assistant IV position, effective January 1, 1997.	1.00	
41 **1211 Personal Services**	($22,524)	**R**
Eliminate salary and related benefits for a Mail Clerk position.	–1.00	
42 **2850 Printing**		
Delete one–time funding for printing of forms.	($116,600)	**NR**
Budget Changes	**$1,852,436** **($58,560)**	**R** **NR**
Total Position Changes	11.00	
Revised Total Budget	**$64,553,241**	

Summary of Budget Changes: Revenue

	Recurring	Nonrecurring	Positions
Reductions	($22,524)	($116,600)	–1.00
Increases	$1,874,960	$58,040	12.00

(Pages B16–B17)

SECRETARY OF STATE	GENERAL FUND FY 96–97	
Total Budget Approved 1995 Session	**$4,834,390**	
Budget Changes		
(0000) All Divisions		
43 **Make SIPS charges current**	$120,000	**NR**
44 **Upgrade Wang Computer System**	$41,280	**NR**
45 **Equipment Replacement**	$89,560	**NR**
(1110) General Administration		
46 **New Accounting Technician Position**	$29,209 $2,100 1.00	**R** **NR**
(1210) Corporations FIling Division		
47 **Accounts receivable automation**	$34,777	**NR**
(1230) Securities Registration Division		
48 **Reduce Benefits for Investigators**	($6,385)	**R**
Because securities investigators are no longer sworn officers, the State can reduce it's law enforcement retirement contribution for these positions.		
49 **Eliminate Two Positions**	($61,906)	**R**
Eliminates Clerk III and Clerk V	–2.00	

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Secretary of State *(Continued)*)		GENERAL FUND FY 96–97	
50 **Staff and Fund Boxing Commission**		$168,613	R
Executive Director	$70,000		
Admin. Assistant	$35,000	3.00	
Secretary	$20,626		
Benefits	$28,587		
Expenses	$31,500		
Receipts	$17,100		
51 **Fund Trademark Enforcement**		$19,800	R
Funds are for part–time administrative assistance and operating expenses			
Budget Changes		**$149,331**	**R**
		$287,717	**NR**
Total Position Changes		2.00	
Revised Total Budget		**$5,271,438**	

Summary of Budget Changes: Secretary of State

	Recurring	Nonrecurring	Positions
Reductions	($68,291)		−2.00
Increases	$217,622	$287,717	4.00

(Page B18)		GENERAL FUND FY 96–97	
STATE BOARD OF ELECTIONS			
Total Budget Approved 1995 Session		**$4,336,673**	
Budget Changes			
(0000) All Divisions			
52 **Increase Printing Budget**		$175,000	R
Funds the increased costs of printing ballots			
Budget Changes		**$175,000**	**R**
Total Position Changes			
Revised Total Budget		**$4,511,673**	

Summary of Budget Changes: State Board of Elections

	Recurring	Nonrecurring	Positions
Reductions			
Increases	$175,000		

(Page B19)		GENERAL FUND FY 96–97	
STATE BUDGET AND MANAGEMENT			
Total Budget Approved 1995 Session		**$3,578,579**	
Budget Changes			
(0000) All Divisions			
53 **Reduce Printing and Travel**		($37,689)	R
Funding is reduced for printing and for travel for the Advisory Budget Commission.			
Budget Changes		**($37,689)**	**R**
Total Position Changes			
Revised Total Budget		**$3,540,890**	

Summary of Budget Changes: State Budget and Management

	Recurring	Nonrecurring	Positions
Reductions	($37,689)		
Increases			

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

(Pages B20–B21)	GENERAL FUND	
STATE CONTROLLER	**FY 96–97**	
Total Budget Approved 1995 Session	**$10,321,531**	
Budget Changes		
(1000) Divisionwide		
54 **North Carolina Accounting System (NCAS)**		
Provide funds to complete implementation of the NCAS.	$3,500,000	**NR**
55 **1211 Personal Services**	($590,134)	**R**
Eliminate salaries and related benefits of the State Disbursing Officer position, and two (2) Computer System Analyst positions ($214,636); and reduce State support for five (5) Computer Analyst positions in the systems Development Program, and provide services in the future on a receipt basis ($375,498).	–8.00	
56 **Miscellaneous Increases due to the NCAS**	$688,295	**R**
Fund increases in operational support costs of the NCAS due to increased number of users.		
57 **Information Highway**		
Provide nonrecurring support for 101 existing sites – 52 high schools; 30 Community Colleges, including 1 data only site; two campuses in the University System; and 17 State and local agencies. Additionally, in the Office of the State Controller increases long distance services, implements Data Hubs, as well as contractual arrangements for switched data services.	$5,337,824	**NR**
Budget Changes	**$98,161**	**R**
	$8,837,824	**NR**
Total Position Changes	–8.00	
Revised Total Budget	**$19,257,516**	

Summary of Budget Changes: State Controller

	Recurring	Nonrecurring	Positions
Reductions	($590,134)		–8.00
Increases	$688,295	$8,837,824	

(Page B22)	GENERAL FUND	
TREASURER	**FY 96–97**	
Total Budget Approved 1995 Session	**$17,949,147**	
Budget Changes		
(0000) All Divisions		
58 **Establish Fire Safety Loan Fund**		
Funds to Establish Fire Safety Loan Fund for installing fire safety equipment and systems in fraternity and sorority housing.	$1,000,000	**NR**
(0000) Multiple Divisions		
59 **Continue Automation of Department**	$300,000	**R**
Escheat Administration	$900,000	**NR**
Expenditures $140,000 R		
$410,000 NR		
Receipts $550,000		
Local Government Operations		
Expenditures $300,000 R		
$900,000 NR		
Non–tax Revenues $1,200,000		

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Treasurer *(Continued)*	GENERAL FUND
	FY 96–97
Budget Changes	**$300,000 R**
	$1,900,000 NR
Total Position Changes	
Revised Total Budget	**$20,149,147**

Summary of Budget Changes: Treasurer

	Recurring	Nonrecurring	Positions
Reductions			
Increases	$300,000	$1,900,000	

(Pages C1–C16)	GENERAL FUND
HUMAN RESOURCES	**FY 96–97**
Total Budget Approved 1995 Session	**$2,176,379,929**

Budget Changes

(1.00) Office of the Secretary

1 **Eliminate Positions – Information Resource Mgt.** ($177,034) **R**
See attached list. –8.00

2 **Eliminate Positions – Council on Dev. Disabilities** ($7,459) **R**
See attached list. –1.00

3 **Position Eliminations – Div. of Personnel Services** ($318,544) **R**
See attached list. –10.00

4 **Office of Education Elimination** ($120,166) **R**
See attached list. –2.00

5 **Position Eliminations –Office of Budget & Analysis** ($79,194) **R**
See attached list. –3.00

6 **Position Eliminations – Office of the Controller** ($922,101) **R**
See attached list. –44.00

7 **Position Eliminations – Executive Offices** ($230,272) **R**
See attached list. –5.00

(2.00) Division of Aging

8 **Position Eliminations** ($49,769) **R**
See attached list. –2.00

(3.00) Div. of Services for Deaf/Hard of Hearing

9 **Position Eliminations** ($175,980) **R**
See attached list. –6.25

10 **Consolidate Support Functions** ($158,004) **R**
Consolidates administrative functions for four divisions –6.00
(DSB, DDHH, DVR, and DYS). See attached list.

(4.00) Division of Social Services

11 **Reduce Child Medical Evaluation Fund** ($75,260) **R**
Reduces appropriations in anticipation of additional federal funds for Emergency Assistance.

12 **Position Eliminations** ($243,524) **R**
See attached list. –26.00

13 **AFDC Caseload Adjustments** ($8,927,268) **R**
Reduces appropriations to reflect lower AFDC caseload growth and lower AFDC average payments.

14 **Reduce Maternity Home Fund** ($287,000) **R**
Reduces appropriations to reflect actual utilization and expenditure experience.

15 **Eliminate JOBS Program Evaluation Contract** ($225,000) **R**
Eliminates appropriation for the technical assistance and evaluation contract for the JOBS Program.

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Human Resources *(Continued)*	GENERAL FUND FY 96–97	
(5.00) Division of Medical Assistance		
16 **Reduce Personal Care Services Funding for ACHs.** Reduces appropriations for Adult Care Homes Personal Care Services to reflect actual expenditures.	($2,767,591)	**R**
17 **Position Eliminations** See attached list.	($233,777) –17.00	**R**
18 **Reduce Inflationary Increases** Reduces inflationary increases to providers to reflect actual growth in inflation.	($10,208,335)	**R**
19 **Revise Claims Procedures** Reduces appropriations for x–ray and lab services to reflect revised claims procedures.	($400,000)	**R**
(6.00) Division of Services for the Blind		
20 **Position Eliminations** See attached list.	($36,419) –3.00	**R**
(7.00) Division of Mental Health		
21 **Eliminate Staff for Mental Health Study Comm.** Eliminates appropriations for staffing of the Mental Health Study Commission.	($104,973) –2.00	**R**
22 **Federal Revenue Maximization** Reduces appropriations to State hospitals and the Special Care Center to reflect increased collections from Medicaid and Medicare.	($2,900,000) ($11,700,000)	**R** **NR**
23 **Title IVA–EA Revenue – Wright and Whitaker Schools** Reduces appropriations for services provided at the Wright and Whitaker Schools due to increased federal Emergency Assistance funds.	($1,000,000)	**R**
24 **Title IVA–EA Revenue – Area Programs** Reduces appropriations for services provided at Area Mental Health Programs due to increased federal Emergency Assistance funds.	($1,227,278)	**R**
25 **Centralize Non–Direct Services at Institutions** Reduces appropriations in anticipation of cost efficiencies in non–direct services at the various mental health institutions.	($100,000)	**R**
26 **Position Eliminations in Institutions** Eliminates 130.5 positions in the Psychiatric Hospitals, NC Special Care Center, Residential Schools and Alcohol & Drug Abuse Treatment Centers. See attached list.	($2,534,843) –130.50	**R**
27 **Reduce State Appropriations to Area Programs** Reduces appropriations for Area Mental Health Programs due to projected increases in Medicaid revenues.	($2,200,000)	**R**
28 **Increased Patient Revenues** Increases patient revenues due to rate adjustments in the various mental health institutions.	($1,000,000)	**R**
29 **Medicaid Rate Adjustment (Area Programs)** Reduces appropriations for Area Mental Health Programs due to anticipated increases in Medicaid rates.	($3,700,000)	**R**
30 **Non–Institutional Position Eliminations** Reduces central office staff positions and reduces Employee Assistance Program staff (in the field) by 2 positions. See attached list.	($396,898) –16.50	**R**

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Human Resources *(Continued)*	GENERAL FUND FY 96–97	
31 **Defer Operating Reserves for Alzheimer Unit–Wilson**		
Defers appropriations for new Alzheimer Unit in Wilson, N.C. Projected opening date is FY97/98.	($1,182,213)	**NR**
(8.00) Division of Facility Services		
32 **Position Eliminations**	($472,631)	**R**
See attached list.	–16.00	
33 **Office of Residential Care Elimination**	($95,392)	**R**
Eliminates the Office of Residential Care. See attached list.	–3.50	
(9.00) Division of Vocational Rehabilitation		
34 **Position Eliminations**	($17,609)	**R**
See attached list.	–3.00	
35 **Consolidate Support Functions**	($4,081)	**R**
Consolidates administrative functions for four divisions (DSB, DDHH, DVR, and DYS). See attached list.	–1.00	
(10.00) Division of Youth Services		
36 **Eliminate Position**	($45,722)	**R**
See attached list.	–1.00	
37 **Consolidate Support Functions**	($19,712)	**R**
Consolidates administrative functions for four divisions (DSB, DDHH, DVR, and DYS). See attached list.	–1.00	
38 **Defer Operating Reserve–Wilderness Camp**		
Opening date for the Modified Wilderness Education Camp has been delayed until October 1996.	($300,000)	**NR**
39 **Defer Operating Reserve–Boundover Unit**		
Opening date for the renovated boundover unit in Richmond County has been delayed until June 1997.	($400,000)	**NR**
40 **Reduce Support Our Students Administrative Funds**	($50,000)	**R**
Reduces administrative funding, including one position, for the Support Our Students (SOS) Program.	–1.00	
(11.00) Division of Child Development		
41 **Federal Revenue Maximization**		
Reduces state appropriation in anticipation of retroactive adjustment in federal Title IV–E Day Care funds.	($3,500,000)	**NR**
42 **Reduce Family Resource Center Administrative Funds**	($50,000)	**R**
Reduces administrative funding for the state–funded Family Resource Center grant program.		
43 **Position Eliminations**	($95,235)	**R**
See attached list.	–4.00	
(12.00) Office of the Secretary		
44 **Electronic Benefits Transfer (EBT) Project**	$124,703	**R**
Provides funding for the statewide implementation of the Food Stamps EBT project which will allow the delivery of food stamp benefits to be done electronically.	$525,533	**NR**
	8.00	
45 **Continue Human Services Grants–in–Aid**		
Reserve for grants–in–aid to public and non–profit human services organizations for programs that provide services to older adults, adults with disabilities, at–risk children and youth and families.	$2,000,000	**NR**
(13.00) Division of Aging		
46 **Home Aid & Community Based Services Expansion**	$5,000,000	**R**
Provides additional funding to reduce the waiting list for in home aid and caregiver support services to individuals 60+ years.		

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Human Resources *(Continued)*		GENERAL FUND FY 96–97	
47 **N.C. Senior Games**			
Provides a grant–in–aid to the N.C. Senior Games, Inc. for the Senior Games Program.		$100,000	**NR**
48 **Grant–in–Aid for Alzheimer Chapters**			
Provides a grant–in–aid to the Alzheimer's Association of N.C. to support the activities of four chapters across the state.		$100,000	**NR**
(14.00) Division of Deaf/Hard of Hearing			
49 **Cued Speech Center Funding**			
Provides a grant–in–aid to the Cued Speech Center to continue the transition program and expand early intervention services.		$185,000	**NR**
(15.00) Division of Mental Health			
50 **Crisis Services Expansion**		$2,000,000	**R**
Provides additional funding to further develop local crisis services and reduce admissions to state psychiatric facilities.			
51 **Funding for Autism Society of N.C.**			
Provides a grant–in–aid to the Autism Society of N.C.		$250,000	**NR**
52 **Funding for Thomas S Services**		$15,200,000	**R**
Provides additional funding to meet court–mandated services for Thomas S clients.			
53 **MH/DD/SAS Expansion Funds**		$5,000,000	**R**
Provides for the following allocations:			
A. Mental Health			
*Residential Services	$905,000		
*Deaf–Mentally Ill Services	125,000		
*Continuity of Care–Kids	636,667		
B. Developmental Disabilities			
*40 Residential Subsidy Slots	170,000		
*Supported Living (2 new projects)	240,000		
*Traumatic Brain Injury ($50,000 for State Registry)	306,667		
*Vocational Services ($70,000 for day programming for children with cerebral palsy)	570,000		
*Guardianship	40,000		
*Assistive Technology (Div. of Voc. Rehabilitation)	40,000		
*Day Childcare	200,000		
*Respite	100,000		
C. Substance Abuse			
*Maternal Services	333,333		
*Public/Private Partnership	1,000,000		
*Supportive Housing	333,333		
(16.00) Division of Child Development			
54 **Maintain TEACH Program**		$1,000,000	**R**
Provides funding for the continuation of the Teacher Education and Compensation Helps (TEACH) Program which provides education and compensation incentives for child care teachers.		$300,000	**NR**
55 **Smart Start Expansion**		$8,950,000	**R**
Provides direct services funds for local partnerships, including the 11 "Year 3" partnerships, and planning funds for the 12 "Year 4" counties.		$1,200,000	**NR**

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Human Resources *(Continued)*	GENERAL FUND FY 96–97	
56 **Child Care Subsidy Funds** Provides additional funding for child day care subsidies, including funding to expand income eligibility.	$1,000,000	**R**
(17.00) Division of Social Services		
57 **Grant–in–Aid to Food Bank, Inc.** Provides a grant–in–aid to Food Bank, Inc., to serve persons seeking emergency food assistance in the 34 counties of Eastern and Central North Carolina.	$100,000	**NR**
58 **Funding for N.C. Second Harvest Food Banks** Provides a $25,000 grant–in–aid to each of the six food banks for the purchase of staple foods, transportation, storage and distribution costs.	$150,000	**NR**
59 **Child Advocacy Institute Grant–in–Aid** Provides a grant–in–aid to the N.C. Child . Advocacy Institute	$250,000	**NR**
60 **Adult Care Homes Rate Increase** Provides a 3.5% rate increase in State/County Special Assistance reimbursement to Adult Care Homes.	$3,795,211	**R**
(18.00) Division of Facility Services		
61 **Smoke Detector/Sprinkler Systems Loan Fund** Provides funds to establish a revolving loan fund to enable adult care and nursing homes to borrow funds to install and upgrade safety equipment such as smoke detectors or sprinkler systems.	$1,000,000	**NR**
(19.00) Division of Vocational Rehabilitation		
62 **Expand Independent Living Rehab. Program Statewide** Establishes offices in Wake and Pasquotank counties to serve the 15 unserved counties and provides additional funding to alleviate the backlog at existing offices.	$1,000,000 16.00	**R**
(20.00) Division of Youth Services		
63 **Expand Support Our Students (SOS) Program** Provides funds to expand the SOS program to additional counties.	$1,000,000	**R**
Budget Changes	**$2,412,843** **($10,921,680)**	**R** **NR**
Total Position Changes	–288.75	
Revised Total Budget	**$2,167,871,092**	

Summary of Budget Changes: Human Resources

	Recurring	Nonrecurring	Positions
Reductions	($41,657,071)	($17,082,213)	–312.75
Increases	$44,069,914	$6,160,533	24

DEPARTMENT OF HUMAN RESOURCES
POSITION REDUCTIONS

DIVISION/OFFICE	POSITION NUMBER	CLASSIFICATION
INFORMATION RESOURCE MANAGEMENT	4410–4141–0206–245	Data Base Librarian
	4410–4140–0006–114	Admin Officer II
	4410–4141–0206–123	Applications Analyst Programmer I
	4410–4141–0206–024	Applications Programmer II
	4410–4141–0106–017	Applications Dev. Proj. Sup.
	4410–4141–0106–079	Applications Analyst Prog. Specialist
	4410–4141–0106–153	Applications Analyst Programmer II
	4410–4141–0106–126	Applications Analyst Programmer II

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

PERSONNEL	4410–2121–0000–329	Personnel Analyst III
	4403–1420–1103–206	Personnel Tech III
	4462–1030–0000–045	Personnel Asst V
	4462–1030–0000–046	Personnel Tech I
	4468–1103–0011–208	Personnel Tech I (Temp)
	4490–1010–2000–056	Personnel Technician I
	4463–0000–0028–003	Personnel Technician I
	4464–0000–0000–500	Personnel Officer III
	4440–0000–0020–010	Clerk Typist IV
	4420–1111–0001–224	Personnel Officer I
BUDGET & ANALYSIS		
	4410–0103–0103–053	Departmental Purch Agent I
	4410–0102–1504–451	Staff Develop. Spec I
	4410–4141–0106–164	Appl Prog Analyst II
LEGISLATIVE & LIAISON SERVICES	4410–0105–1100–780	Dir, Gov Liaison Svs
	4410–0307–0000–415	DHR Inform. & Referral Specialist
DD COUNCIL	4410–1111–1300–742	Clerk Typist III
CONTROLLER	4462–2410–0000–067	Accounting Clerk IV
	4462–2410–0000–062	Accounting Clerk IV
	4490–1010–2000–064	Accounting Technician II
	4480–0121–1200–463	Accounting Technician III
	4410–0102–1504–465	Accounting Technician IV
	4410–0102–1504–461	Accounting Technician IV
	4410–0102–1504–453	Staff Develop Spclist I
	4410–0102–1504–457	Staff Develop Spclist I
	4410–0102–1504–428	Systems Accountant I
	4460–1110–0001–106	Accountant I
	4445–0000–0004–510	Accountant II
	4460–1200–0001–204	Cashier II
	4441–0000–0078–013	Accounting Clerk III
	4441–0000–0078–007	Accounting Clerk IV
	4440–0000–0062–412	Accounting Technician III
	4410–0102–1504–470	Administrative Secre V
	4410–0102–1504–482	Clerk–Typist III
	4420–1130–0001–287	Clerk–Typist IV
	4460–1110–0001–103	Office Assistant IV
	4466–1320–0000–351	Accounting Clerk IV
	4406–1320–0097–021	Accounting Clerk IV
	4406–1320–0097–023	Accounting Clerk IV
	4406–1320–0090–025	Accounting Clerk IV
	4466–1320–0000–325	Office Assistant IV
	4466–1320–0000–345	Payroll Clerk V
	4463–0000–0023–010	Processing Assistant III
	4468–1002–0011–030	Accounting Clerk III
	4465–0000–0000–043	Processing Assistant IV
	4467–0000–0000–015	Accounting Clerk IV
	4464–0000–0000–275	Accounting Clerk IV

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Controller *(Continued)*

	4464–0000–0000–277	Accounting Clerk V
	4403–1420–1002–204	Accounting Specialist I
	4467–0000–0000–017	Accounting Technician I
	4467–0000–0000–012	Accounting Technician I
	4404–1002–2000–003	Accounting Technician II
	4469–0000–0021–003	Accounting Technician II
	4404–1002–2000–007	Accounting Technician II
	4464–0000–0000–260	Accounting Technician III
	4490–1010–2000–050	Accountant II
	4460–1220–0001–216	Patient Relations Rep. V
	4490–1010–2000–063	Accountant I
EXECUTIVE OFFICES		
	4410–0105–0000–049	Administrative Assistant II
	4410–0105–2300–067	Director of Education – DHR
	4410–0105–2300–069	Office Assistant IV
	4410–0105–2300–068	Deputy Dir. of Education
	4410–0105–0400–007	Chief Deputy IV
DIVISION OF AGING		
	4411–1151–2001–005	Aging Program Specalist II
	4411–1155–0004–004	Human Services Planner/Eval I
DIVISION OF CHILD DEVELOPMENT	4420–1140–0001–217	Office Work Unit Supervisor
	4420–1141–0001–133	Child Day Care Prog. Mgr.
	4420–1160–0001–156	Child Day Care Prog. Mgr.
	4420–1168–0001–292	Child Day Care Prog. Mgr.
DIVISION OF SERVICES FOR THE DEAF & HARD OF HEARING		
	4424–1111–1210–283	Security Officer I
	4423–1411–1211–018	Processing Asst. III
	4423–1411–1211–029	Adminstrative Officer II
	4428–1506–1210–006	Community Development Sepcialist I
	4428–1511–1211–042	Interpreter for the Deaf I
	4428–1506–1211–060	Community Services Consultant
	4428–1501–1210–003	Community Development Sepcialist I
	4428–1511–1211–019	Rehab. Program Spec. I
	4424–1121–1290–457	Principal II
	4423–1411–1211–016	Administrative Officer I
	4424–1111–1210–016	Personnel Assist. IV
	4425–1211–1210–948	Personnel Assist. IV
	4426–1311–1211–007	Personnel Assist. IV
DIVISION OF SOCIAL SERVICES	4440–0000–0040–600	S.S. Program Admin. II
	4440–0000–0010–003	Deputy Director, DSS
	4440–0000–0080–020	Acctg. Clerk Supv. V
	4440–0000–0011–010	Clerk Typist IV

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Division of Social Services *(Continued)*

	4440–0000–0010–016	Clerk Typist III
	4440–0000–0011–403	Appl. Programmer I
	4440–0000–0080–011	Clerk Typist III
	4440–0000–0080–009	Clerk Typist III
	4440–0000–0080–103	Soc. Res. Asst. II
	4440–0000–0080–037	Accounting Tech II
	4440–0000–0080–088	S.S. Prog. Consult. I
	4440–0000–0043–014	S.S. Program Consultant II
	4440–0000–0050–343	Clerk Typist III
	4440–0000–0050–345	Word Processor III
	4440–0000–0050–344	Word Processor III
	4440–0000–0045–004	Inc. Maint. Caseworker III
	4440–0000–0045–003	Inc. Maint. Caseworker III
	4440–0000–0042–204	Clerk Typist IV
	4440–0000–0040–616	Clerk Typist IV
	4440–0000–0040–629	S.S. Program Consultant II
	4440–0000–0043–018	S.S. Program Consultant II
	4440–0000–0045–040	Inc. Maint. Qual. Assur. Anlst
	4440–0000–0045–021	Inc. Maint. Qual. Assur. Anlst
	4440–0000–0045–037	Inc. Maint. Qual. Assur. Anlst
	4440–0000–0043–028	Community Dev. Spec. I
	4440–0000–0011–210	Business Officer I
DIVISION OF MEDICAL ASSISTANCE	4445–0000–0004–702	Admin Officer I
	4445–0000–0004–600	Accountant III
	4445–0000–0004–980	Statistical Research Assistant I
	4445–0000–0008–558	Accountant II
	4445–0000–0000–029	Accountant I
	4445–0000–0004–735	Health Standards Officer
	4445–0000–0004–782	Processing Assistant V
	4445–0000–0007–300	SS Program Consultant II
	4445–0000–0004–900	App. Analyst & Prog Spec I
	4445–0000–0006–501	Processing Assistant III
	4445–0000–0006–558	N/A – Funded but not Established
	4445–0000–0007–138	SS Program Consultant II
	4445–0000–0007–101	SS Program Consultant II
	4445–0000–0004–880	Processing Assistant IV
	4445–0000–0007–237	Statistical Research Assistant II
	4445–0000–0008–100	Medicaid Q.A. Program Chief
	4445–0000–0008–551	Processing Assistant V
DIVISION OF SERVICES FOR THE BLIND	4450–0511–1201–205	Human Service Plan/Eval III
	4450–0714–1001–694	Accounting Tech. I
	4450–1017–0104–754	Administrative Officer II
DIVISION OF MENTAL HEALTH/DD/SAS	4403–1430–2201–278	Housekeeper
	4403–1440–3021–112	Health Care Tech. I
	4403–1440–3120–229	Word Processor III

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Division of Mental Health/DD/SAS *(Continued)*

4401–1441–3322–605	Physician Extender II
4401–1440–0095–123	Health Care Technician I
4401–1440–3021–536	Health Care Technician I
4401–1440–3120–711	Medical Records Assistant III
4464–0000–0000–151	Psychological Program Coor. I
4464–0000–0004–700	Dormitory Matron
4464–0000–0004–380	Sewing Machine Operator I
4464–0000–0023–100	Beautician
4464–0000–0013–050	Patient Relations Representative IV
4464–0000–0013–025	Patient Relations Representative IV
4464–0000–0000–176	Office Assistant III
4464–0000–0000–750	Lead Nurse
4464–0000–0004–390	Upholsterer
4464–0000–0000–682	Staff Development Technician II
4464–0000–0036–900	Office Assistant III
4464–0000–0000–683	Staff Development Technician II
4464–0000–0030–342	Health Care Technician I
4464–0000–0032–408	Health Care Technician I
4464–0000–0001–305	Food Service Assistant II
4464–0000–0001–752	Stock Clerk I
4464–0000–0000–358	Processing Assistant IV
0000–0000–0033–023	Housekeeping Supervisor I
0000–0000–0041–000	Mental Health Unit Director I
0000–0000–0033–077	Housekeeping Supervisor II
0000–0000–0033–010	Housekeeping Supervisor II
0000–0000–0029–001	Nursing Education Director I
0000–0000–0032–603	Steam Plant Supervisor I
0000–0000–0032–202	Plant Maintenance Supervisor I
0000–0000–0031–001	Food Service Supervisor III
0000–0000–0052–611	Teacher
0000–0000–0052–610	Teacher
0000–0000–0046–401	Anesthetist I
0000–0000–0021–007	Administrative Officer II
0000–0000–0021–053	Processing Assistant III
0000–0000–0050–342	HCT 1
0000–0000–0032–218	Painter
0000–0000–0050–315	Practical Nurse II
0000–0000–0046–405	Surgical Technician
0000–0000–0032–304	Grounds Worker
0000–0000–0032–200	Carpenter II
0000–0000–0031–238	Food Service Assistant I
0000–0000–0031–234	Food Service Assistant I
0000–0000–0051–326	Practical Nurse II
0000–0000–0045–500	Clinical Chaplain II
0000–0000–0031–177	Food Service Assistant II
0000–0000–0031–189	Food Service Assistant II
0000–0000–0031–231	Food Service Assistant I
0000–0000–0030–007	Processing Assistant III
0000–0000–0033–071	Housekeeper
0000–0000–0032–701	Telecomm. Equip. Technician I
0000–0000–0031–152	Food Service Assistant II

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Division of Mental Health/DD/SAS *(Continued)*

4463–0000–0044–005	Medical Assistant III
0000–0000–0027–008	Office Assistant IV
0000–0000–0039–005	Dental Assistant
0000–0000–0043–000	Librarian II
4462–5500–0001–702	Staff Psychologist II
4462–8000–0008–004	Staff Development Specialist III
4462–2450–6005–812	Laundry Supervisor I
4462–3150–5002–439	LPN II
4462–3200–0009–123	Nurse Supervisor B
4462–2460–0006–004	Plant Maintenance Supervisor
4462–7200–0011–075	Lead Nurse
4462–5500–0001–505	Staff Psychologist II
4462–3130–2002–210	Nurse B
4462–2440–2004–110	Food Service Supervisor II
4462–3130–5002–265	HCT I
4462–5650–0000–838	HCT I
4462–3130–5002–261	HCT I
4462–3130–5002–254	HCT I
4462–3120–5002–107	HCT I
4462–2440–3004–644	Food Service Assistant II
4462–2660–0003–974	Rehab. Therapy Tech.
4462–2440–3004–688	Food Service Assistant II
4462–2440–3004–680	Food Service Assistant II
4462–2450–1005–489	Housekeeper
4462–2200–0002–151	HCT II
4462–4150–0002–577	Rehab. Therapy Tech
4462–3340–0023–116	Forensic Health Tech I
4462–3130–5002–237	LPN II
4462–2630–0003–925	Volunteer Services Coordinator
4462–4130–0002–533	Social Worker II
4462–4130–0002–531	Social Worker II
4462–2150–0000–318	Medical Record Assistant III
4462–5560–0001–565	HCT III
4462–2440–0004–025	Maintenance Mechanic III
4462–4150–0002–565	HCT I
4462–2670–0003–985	Clinical Chaplain I
4465–0000–0009–460	Maint Mechanic V
4465–0000–0005–402	Health Care Supervisor I
4465–0000–0000–095	Admin. Svs. Asst. V
4465–0000–0000–427	Maint Mechanic III
4465–0000–0000–472	Processing Assistant III
4465–0000–0009–522	Cook II
4465–0000–0009–520	Cook II
4465–0000–0009–530	FSA I
4465–0000–0000–503	Office Assistant III
4465–0000–0000–695	Office Assistant III
4465–0000–0001–042	Physical Therapist I
4465–0000–0000–569	Trades Worker I
4465–0000–0001–027	Med Lab Technologist I
4465–0000–0000–211	Cook Supv II
4465–0000–0000–468	Painter

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Division of Mental Health/DD/SAS *(Continued)*

	4465–0000–0000–490	General Utility Worker
	4465–0000–0000–523	Housekeeper
	4465–0000–0005–700	Staff Psychologist II
	4465–0000–0004–019	Social Worker II
	4465–0000–0007–250	Rehab Therapist (RT Coord)
	4465–0000–0003–040	PN II (1st)
	4465–0000–0005–049	Nurse B (2nd)
	4465–0000–0000–153	Staff Development Spec II
	4402–0000–0060–120	FSA I ADATC–Butner
	4402–0000–0060–114	FSA II ADATC–Butner
	4402–0000–0060–113	FSA II ADATC–Butner
	4402–0000–0060–112	FSA II ADATC–Butner
	4402–0000–0060–111	FSA II ADATC–Butner
	4402–0000–0060–110	FSA II ADATC–Butner
	4402–0000–0060–104	Cook I ADATC–Butner
	4402–0000–0060–108	Cook II ADATC–Butner
	4402–0000–0060–105	Cook II ADATC–Butner
	4402–0000–0060–103	Food Service Supv II ADATC–But
	4402–0000–0060–102	Food Service Supv II ADATC–But
	4402–0000–0060–810	Sub Abuse Counselor II (TM)
	4404–3203–4000–595	Application Programmer I
	4404–2201–3000–172	Floor Maintenance Assistant
	4404–2201–3000–161	Housekeeper
	4404–2201–3000–157	Housekeeper
	4404–2103–3000–210	Grounds Worker
	4404–2001–3000–101	Food Service Assistant II
	4458–0000–0050–021	Teacher
	4461–0000–0060–009	Cook I
	4460–2020–1000–216	Statistical Assistant V
	4460–9000–0000–907	Agency Legal Specialist I
	4460–0010–0000–107	Office Assistant III
	4460–0040–0000–117	Administrative Assistant I
	4460–3010–1000–307	Processing Assistant III
	4460–6010–0000–610	Processing Assistant III
	4460–6040–0000–620	Willie M Regional Svcs Mgr
	4460–8020–0000–819	Processing Assistant IV
	4460–8030–0000–828	Primary Care Systems Associate
	4460–4020–1000–408	Human Services Planner/Eval. I
	4460–5010–0000–506	Drug Control Rep
	4460–1000–0001–006	HS Evaluator IV
	4460–8010–1000–811	Hum Serv/Plan Eval I
	4460–3010–0000–305	Office Assistant III
	4460–5030–0000–519	Empl. Assistance Prog. Cons
	4460–5030–0000–521	Empl. Assistance Prog. Cons
	4460–1340–0001–313	MH Prog Coord
DIVISION OF FACILITY SERVICES	4470–0000–0000–301	HRPS II (Section Chief–MFP)
	4470–0000–0000–510	Field Oper. Mgr. (EMS)
	4470–0000–0000–548	Office Asst. IV
	4470–0000–0000–800	Fac. Arch. Spvr. II

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Division of Facility Services *(Continued)*

4470–0000–0000–970	FSC II (Brch. Mgr.–Licensure)
4470–0000–0000–967	Hosp. Cons. II (Asst. Chief–Lic.)
4470–0000–0000–943	Proc. Asst. III
4470–0000–0001–309	Proc. Asst. III
4470–0000–0000–968	Admin. Officer I
4470–0000–0000–961	Office Asst. IV
4470–0000–0000–964	Office Asst. III
4470–0000–0000–514	EMS Commun. Cons.
4470–0000–0000–217	Info. Proc. Asst. I
4470–0000–0000–214	Admin. Asst. I (Purchasing)
4470–0000–0000–409	Con Proj. Analyst
4470–0000–0000–236	Director, ORC
4470–0000–0000–239	Soc. Res. Assoc. II
4470–0000–0000–240	Office Asst. IV
4470–0000–0000–237	HSPE III

DIVISION OF VOCATIONAL REHABILITATION SERVICES

4480–0121–0100–402	Processing Assistant III
4480–0121–0100–368	Processing Assistant II
4480–0121–0100–341	Processing Assistant III
4480–0121–0100–127	Personnel Assist. IV

DIVISION OF YOUTH SERVICES

4490–1010–2000–061	Processing Assist. IV
4490–1010–1000–009	Prog Dev Coord

(Pages D1–D4) GENERAL FUND
CORRECTION **FY 96–97**
Total Budget Approved 1995 Session **$837,205,300**

Budget Changes
(0000) All Divisions

1 **Reduction in Building Reserves** ($10,500,000) **NR**
Due to revised projected opening dates, reduce the amount appropriated for reserves for operation of new facilities scheduled to become operational in FY 1996–97.

2 **Eliminate Reserve for Funding of Private Beds** ($9,158,624) **NR**
Eliminate the appropriation to support the operation of private beds for FY 1996–97. This reduction is recommended due to the facilities not becoming operational until FY 1997–98.

3 **Reduce Inmate *Per Diem*** ($2,500,000) **R**
Reduce the appropriation for inmate *per diem* costs which include but are not limited to food, clothing, and medical services.

4 **Close South Central Area Office** ($350,000) **R**
–8.00
The closing of the South Central Area Office in the Division of Prisons has resulted in the elimination of 8 existing staff positions. It is recommended that the funding for these positions be deleted from the budget.

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Correction *(Continued)*

		GENERAL FUND FY 96–97	
5	**Reduce Criminal Justice Partnership Act (CJPA)** Eliminate the recurring discretionary portion ($2,400,000) of the appropriation for implementation of the CJPA and reduce an additional amount of funds ($5,000,000) that is to be carried forward from FY 1995–96 to FY 1996–97. This $5,000,000 is a one–time reduction.	($2,400,000) ($5,000,000)	**R** **NR**
6	**Reduce Substance Abuse Programs** Reduce funding for private substance abuse programs by $650,000 in FY 1996–97 due to not filling all the funded contracted beds and $400,000 for the program at the Washington County unit which is being closed.	($400,000) ($650,000)	**R** **NR**
7	**Savings in Medical Cost** Reduce the appropriation for medical costs as a result of charging inmates a fee for medical services. It is anticipated that the decreased demand for non–essential medical services will result in this savings.	($250,000)	**R**
8	**Parole Commission Staff Reduction** It is recommended that the positions in the Parole Commission scheduled to be abolished January 1, 1997, be abolished effective July 1, 1996.	($50,772)	**R**
9	**Reduce Parole Commission Staff Vacancies** Eliminate 4 vacant secretarial positions which are no longer needed due to a new automated system.	($72,472) –4.00	**R**
10	**Reorganize Academic Education Programs** Reduce funding for academic education programs and reorganize the programs through consolidation and use of the community college system to attain the level necessary to meet adult inmate needs. (When this action is annualized in FY 1997–98, the reduction will equal $1,075,025.)	($731,729) –26.00	**R**
11	**Consolidate Western Area Office** Reduce funding by consolidating the Western Area Office with other operations. In FY 1996–97 this consolidation should result in a reduction of 8 positions for a portion of the year. (When the reduction is annualized in FY 1997–98, the reduction will equal $350,000.)	($125,000) –8.00	**R**
12	**Close Polk Youth Center** Close Polk Youth Center in Raleigh and do not reopen it as a minimum custody facility. This recommendation is based upon the cost to renovate and operate Polk as a minimum custody unit. (Cost to renovate Polk has been projected at up to $10,000,000 and the facility is projected to house 340 inmates if converted to minimum custody. The annualized reduction in FY 1997–98 equals $4,871,876.)	($3,731,197)	**R**
13	**Close Southern Reception Center** Based upon the current projection for admissions to the Division of Prisons, this reception center can be closed during FY 1996–97.	($304,826) –10.00	**R**

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Correction *(Continued)*

		GENERAL FUND FY 96–97	
14	**Close Small Expensive GPAC Units** Close two small expensive prison units in Rockingham and Washington Counties during FY 1996–97. Convert prison units in Alexander, Yadkin, and Scotland Counties from medium custody to minimum custody. The daily operating cost per inmate for these units varied from $111.92 per day to $131.27 per day in FY 1994–95.	($5,030,925) –175.00	R
15	**Fund Vocational Education From Canteen Funds** Replace General Fund appropriations for vocational education for inmates with Canteen operation funds. Eight positions will be changed from appropriation supported to receipt supported.	($381,090)	R
16	**Inmates Must Test Drug Free Prior to Release** Appropriate funds to support a program to test inmates to assure that they are drug free prior to release from custody. This appropriation will support the cost of the tests.	$105,000	R
17	**Supervise Sex Offenders on Probation** Appropriate funds to provide probation officers in a number sufficient to assure that all sex offenders on probation are under supervision.	$150,586 3.00	R
18	**Additional Modular Inmate Housing Staff** Funds to operate replacement and additional modular housing for minimum custody inmates. These modular buildings will be located at various units which are inefficient in regard to the size and staffing currently located at the unit. With the acquisition of the modular housing and the elimination of the condemned housing, the net effect on beds will be a gain of 284. (The annualized recurring cost to operate the additional beds is $2,139,093.)	$984,803 14.00	R
19	**Community Work Crews** Funds to establish 714 additional inmate jobs by adding 51 additional work crews. These work crews will assist local governments and communities which will result in cost reductions in their operations. (The recurring cost for these work crews for FY 1997–98 is projected at $1,660,907 per year.)	$1,016,964 $1,700,000 51.00	R NR
20	**Reimburse Counties for Inmates** Funds to reimburse counties at $40 per day for sentenced inmates awaiting transfer to state prison facilities. (See special provision.)	$0	NR
21	**Women at Risk Programs** Fund the Women at Risk Program in Buncombe County for non–residential treatment services for female probationers.	$115,000	NR
22	**Additional Prison Beds** Funds to contract for an additional 500 beds in out–of–state facilities. (See special provision.)	$0	NR
23	**Expand Substance Abuse Services** Funds for The John Hyman Foundation to continue and expand to Hertford County a substance abuse program for parolees and probationers now operating in Warren and Halifax Counties.	$150,000	R

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Correction *(Continued)*

		GENERAL FUND FY 96–97	
24	**Summit House Funds** Expansion funding for full operation of residential probation programs for female offenders and their children located in Charlotte and Raleigh and for continued operation of the Greensboro program.	$200,000	**R**
25	**Increase Criminal Penalties** Amend Structured Sentencing Act to create a new felony of assault inflicting serious bodily injury, as recommended by the Sentencing and Policy Advisory Commission; increase the punishment for sale of handguns to minors from a Class I to Class H felony; and increase the punishment for sale of controlled substances to persons under age 16 or pregnant females from a Class E to a Class D felony. It is estimated these changes will increase the number of prison inmates by 267 by the end of FY 1996–97. Funding of $1,338, 547 for additional prison beds is established in the Statewide Reserves to be allocated only if the Department of Correction is unable to find additional prison beds in–state.	$0	**R**
26	**Increase Penalty–Assault Law Officer/Firefighter** Amend Structured Sentencing Act to make it a Class F felony to assault a law enforcement officer and inflict serious bodily injury, and to create a new criminal offense making it a Class A1 misdemeanor to assault a firefighter, as recommended by the Study Committee on Criminal Laws, Procedures, and Sentencing. It is estimated these changes will increase the number of inmates by 19 by the end of FY 1996–97. Funding of $95,253 for these additional prison beds is established in the Statewide Reserve to be allocated only if the Department of Correction is unable to find prison beds in–state.	$0	**R**
Budget Changes		**($13,720,658)**	**R**
		($23,493,624)	**NR**
Total Position Changes		–163.00	
Revised Total Budget		**$799,991,018**	

Summary of Budget Changes: Correction

	Recurring	Nonrecurring	Positions
Reductions	($16,328,011)	($25,308,624)	–231.00
Increases	$2,607,353	$1,815,000	68.00

(Pages D5–D6)

	GENERAL FUND FY 96–97
CRIME CONTROL AND PUBLIC SAFETY	
Total Budget Approved 1995 Session	**$31,429,550**

Budget Changes

(0000) All Divisions

27	**Drug Enforcement/State Agency Match** Reduce $114,000 of the appropriation for drug enforcement and state agency match. Some recipient agencies of federal drug enforcement funds through the department will be required to provide their own match.	($114,000)	**R**

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Crime Control and Public Safety *(Continued)*	GENERAL FUND FY 96–97	
28 **Salary Reserve** Reduce available salary reserve by one–half. These funds are generated by filling positions at a salary less than the budgeted salary authorized by the General Assembly.	($20,000)	R
29 **Reduce Funds for New Vehicles in ALE** Reduce funds for purchasing 10 new vehicles by replacing vehicles at 90,000 miles instead of 70,000 miles. Appropriation ($179,880) Less Receipts ($66,000) Net Reduction ($113,880)	($113,880)	R
30 **Additional Maintenance Funds for ALE Vehicles** Provide additional funds for repairs and maintenance of Alcohol Law Enforcement vehicles in response to replacing vehicles at 90,000 miles instead of 70,000 miles.	$13,000	R
31 **Pension Fund for National Guard** Provide funds to meet National Guard Pension Fund requirements.	$20,344	R
32 **National Guard Armory Maintenance Funds** Funds for repairs and maintenance of National Guard armories.	$150,000	R
33 **National Guard Tuition Assistance** Funds to increase the amount and number of educational assistance benefits for members of the National Guard.	$300,000 1.00	R
34 **Law Enforcement Support Services** Provide funding to continue the Law Enforcement Support Services Program. This program provides surplus Department of Defense equipment to state and local law enforcement agencies.	$200,000 4.00	R
35 **Butner Public Safety Officers** Provide funding for 5 additional Public Safety Officers (Effective 12/1/96) to keep pace with the rapid growth of state and federal facilties in Butner.	$102,850 $22,420 5.00	R NR
36 **Community Service Coordinator** Funds for a coordinator in District 9 to provide additional coverage for offenders sentenced to community service.	$28,210 1.00	R
37 **Additional Funding for Drug Task Forces** Provide $100,000 to continue the Roanoke/Chowan Narcotics Task Force which serves Hertford, Gates and Martin Counties and $50,000 to continue drug task forces in Bertie and Northampton Counties.	$150,000	NR
38 **Mobile Data Network Funds for Highway Patrol** Provide $3,288,000 from the Highway Fund to the NC State Highway Patrol to begin implementation of the mobile data network system. These funds would be used to purchase hardware and software equipment and 184 mobile data terminals for use in Highway Patrol vehicles to allow the network to operate on the interstate highway system.	$0	R
Budget Changes	**$566,524** **$172,420**	**R** **NR**
Total Position Changes	11.00	
Revised Total Budget	**$32,168,494**	

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Crime Control and Public Safety *(Continued)* GENERAL FUND
FY 96–97

Summary of Budget Changes:
Crime Control and Public Safety

	Recurring	Nonrecurring	Positions
Reductions	($247,880)		
Increases	$814,404	$172,420	11.00

(Pages D7–D9) GENERAL FUND
JUDICIAL FY 96–97
Total Budget Approved 1995 Session **$282,821,415**

Budget Changes
(0000) All Divisions

39 **Salary Reserve Department–Wide** ($750,000) **R**
Reduction of 75% of salary reserve funds; these are funds generated by positions being filled at a salary less than the budgeted salary.

40 **Magistrate Reserve for Salary Increase** ($250,000) **R**
A reserve was established to fund higher salaries for newly hired magistrates who must now meet the requirement to have a four year degree. The reduction is possible because new postions have been filled at salaries lower than anticipated and vacancies have been lower than anticipated. ($250,000) **NR**

41 **Albemarle Dispute Settlement Center** $31,977 **R**
Provides 50% of funding (balance funded by local match) for operation of a local dispute settlement center. Center will provide mediation services in seven counties — Camden, Chowan, Currituck, Dare, Gates, Pasquotank, and Perquimans. This will bring the total dispute settlement centers funded by the state to 25 centers at a total cost of $856,660. Each center provides at least 50% in local matching funds.

42 **Sentencing and Policy Advisory Commission** $4,000 **R**
Funding for conducting a joint study of recidivism of criminal offenders with the Department of Correction. The Commission will use the funds for matching offenders to DCI criminal arrest records and for production and printing of the joint report.

43 **Polk Dispute Settlement Center** $20,000 **R**
Funding to expand mediation services to Rutherford County. Local programs will provide required match.

44 **Teen Court** $25,000 **R**
Provide funding for operation of a teen court in Rockingham County. The teen court will also be supported by local funding from several sources. Three other state–funded teen courts operate in Buncombe, Cumberland, and Durham. Teen courts provide a peer review of juveniles who have committed non–violent misdemeanors or who are presenting disciplinary problems at school. Teen courts recommend various types of punishment, as appropriate, such as community service and restitution.

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Judicial *(Continued)*	GENERAL FUND FY 96–97	
45 **Cabarrus County Dispute Settlement Center** Provides 50% funding for a local dispute settlement center, bring the total number of state–funded centers to 26.	$25,000	R
46 **Case Management in District Court — Pilot Program** Funds three positions and equipment for a pilot program in three districts to assist district court judges with case management and setting of the court calendar in civil cases.	$60,021 $16,212 3.00	R NR
47 **Indigent Defense Funds** Provide funds to cover the anticipated growth in indigent defendants in FY 1996–97 ($2,789,094). The above amount is divided between payments to private attorneys ($2,423,718) and funds to hire 11 additional assistant public defenders ($365,376). Public defender positions are effective 1/1/97. A special provision provides for funding of FY 1995–96 outstanding bills to private lawyers that provided legal counsel to indigents.	$2,842,814 $9,636 11.00	R NR
48 **Mediated Settlement Program –Statewide** Funding to operate the Dispute Resolution Commission. This Commission oversees the operation of the statewide mediated settlement program (mediation of civil cases), including certification of mediators. The fees for certification have not generated the $80,000 needed to operate the program. It is estimated that $52,000 in fees will be collected, leaving a need for a $28,000 appropriation.	$28,000 1.25	R
49 **Equipment Reserve** Statewide funding for office equipment, telecommunication systems, replacement computer equipment, and related areas.	$426,890 $2,073,110	R NR
50 **New Assistant District Attorneys** Funding to add 60 Assistant District Attorneys and 15 legal assistants. All positions are effective 1/1/97.	$2,073,304 $138,703 73.00	R NR
51 **Clerks of Superior Court** Provides funding for 40 additional deputy clerks. All positions effective 1/1/97.	$488,720 $43,520 40.00	R NR
52 **Superior Court Court Reporters** Reestablish 2 of 10 vacant positions eliminated last year to meet needs of superior court. Positions effective 10/1/97.	$51,588 2.00	R
53 **Magistrate Positions** Funds for additional magistrates in the following counties — Bertie; Northampton; Vance; Lincoln; Henderson; Randolph (2). All positions are effective 10/1/96.	$162,372 $14,626 7.00	R NR
54 **District Court Judges – New** Fund four new district court judges and one superior court judicial secretary. Three of the district court judge positions (Districts 12, 16A, and 23) are effective 12/15/96; the fourth judge and the secretary (both District 19B, based on ratified HB 233) are effective 1/1/97.	$225,932 $38,084 5.00	R NR

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Judicial *(Continued)*	GENERAL FUND FY 96–97	
55 **District Court Judges – Continue Funding** Using authorization established by the 1995 General Assembly, continue funding four district court judge positions from available funds for 1996–97. These four positions had not been pre–cleared by the U.S. Department of Justice in 95–96, but have since been pre–cleared.	$0	R
56 **Additional Special Superior Court Judges** Provide funding for 4 additional Special Superior Court Judges effective 12/15/96.	$305,368 $41,080 4.00	R NR
Budget Changes	**$5,770,986** **$2,124,971**	**R** **NR**
Total Position Changes	146.25	
Revised Total Budget	**$290,717,372**	

Summary of Budget Changes: Judicial

	Recurring	Nonrecurring	Positions
Reductions	($1,000,000)	($250,000)	
Increases	$6,770,986	$2,374,971	146.25

(Pages D10–D11) **JUSTICE**	GENERAL FUND FY 96–97	
Total Budget Approved 1995 Session	**$57,685,957**	
Budget Changes		
(0000) All Divisions		
57 **Operate New SBI Crime Laboratory** Funds to operate the new SBI Crime Laboratory which will house all crime lab functions and the SBI support services section.	$602,496 $18,100 4.00	R NR
58 **NC Western Justice Academy** Fund an onsite office and contract services for maintenance, housekeeping and security services at the N.C. Western Justice Academy.	$108,430	NR
59 **N. C. Justice Academy Operating Funds** Fund operating requirements for the N. C. Justice Academy. These items include supplies, telephone, postage, utilities, and travel.	$100,000	NR
60 **N.C. LEAF Funds** Funds for N.C. Legal Education Assistance Foundation for loan repayment assistance program for public service attorneys.	$50,000	NR
61 **SBI Specialized Programs** Fund positions for DNA testing, operating the automated bullet identification machine, the Homicide Investigative Tracking System and the Violent Career Criminal Task Force.	$293,595 12.00	R
62 **Legal Services Positions** Fund one additional Attorney II and Paralegal II in the Animal Waste Section and one additional Attorney II in the Groundwater and Solid Waste Section. All positions are effective 1/1/97.	$72,470 $15,060 3.00	R NR
63 **Reserve for Criminal Justice Information Network** Provide $400,000 to be placed in the Statewide Reserve to establish the Criminal Justice Information Network Governing Board ($100,000) and to begin developing data sharing standards ($300,000).	$0	R

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Justice *(Continued)*	GENERAL FUND FY 96–97	
Budget Changes	**$968,561**	**R**
	$291,590	**NR**
Total Position Changes	19.00	
Revised Total Budget	**$58,946,108**	

Summary of Budget Changes: Justice

	Recurring	Nonrecurring	Positions
Reductions			
Increases	$968,561	$291,590	19.00

(Pages E1–E2)

AGRICULTURE	GENERAL FUND FY 96–97	
Total Budget Approved 1995 Session	**$45,745,793**	
Budget Changes		
Marketing		
1 **International Marketing**	$155,444	**R**
Funds to provide operating support and two positions for international marketing development.	$19,556	**NR**
	2.00	
2 **Grain Grading Training Program**	$73,188	**R**
Funds to establish a training program to promote uniformity ingrading grain.	$7,532	**NR**
	1.00	
Plant Industry – Plant Protection		
3 **Sweet Potato Weevil Control**	$72,479	**R**
Funds to control sweet potato weevil infestations.		
Veterinary Services		
4 **Meat and Poultry Inspection Program**	$256,395	**R**
Funds to train meat and poultry inspectors to meet health and safety mandates and to increase the number of inspectors.	$15,168	**NR**
	4.00	
Requirements 520,086		
Receipts (248,523)		
Appropriation 271,563		
5 **Mycoplasma and Bacteriology Funds**	$352,258	**R**
Funds to expand the mycoplasma and bacteriology services programs to serve the expanding animal industry.	$20,000	**NR**
	4.00	
Budget Changes	**$909,764**	**R**
	$62,256	**NR**
Total Position Changes	11.00	
Revised Total Budget	**$46,717,813**	

Summary of Budget Changes: Agriculture

	Recurring	Nonrecurring	Positions
Reductions			
Increases	$909,764	$62,256	11.00

(Pages E3–E5)

COMMERCE	GENERAL FUND FY 96–97	
Total Budget Approved 1995 Session	**$35,622,934**	
Budget Changes		
Business and Industry		
6 **Industrial Recruitment Competitive Fund**		
Nonrecurring funds for the Industrial Recruitment Competitive Fund.	$1,000,000	**NR**

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Commerce *(Continued)*	GENERAL FUND FY 96–97	
Commerce Finance Center		
7 **Fund Utility Account (Industrial Development Fund)** Nonrecurring funds are provided to establish a "Utility Account" under the Industrial Development Fund; funds are to be expended on water and sewer related infrastructure projects in the State's ten most distressed counties.	$2,000,000	**NR**
Energy Division		
8 **Eliminate Reserve and Increase Receipts** Eliminate reserve to match federal funds and shift dues and subscriptions to receipt support.	($128,777)	**R**
Global TransPark Marketing		
9 **Reduce funding for Advertising** Reduce funds budgeted for advertising in the Global TransPark Marketing program.	($100,000)	**R**
Grants–in–Aid		
10 **Technological Development Authority** Grant–in–Aid to the North Carolina Technological Development Authority, Inc. for entreprenurial support and infrastructure including creating new incubators, enhancing existing incubators, developing capital formation initiatives, supporting research commercialization programs and matching federal grant and loan funds.	$2,000,000	**NR**
11 **Center for Community Self–Help** Provide funds to further a statewide program of lending for home ownership.	$3,000,000	**NR**
12 **World Trade Center North Carolina** Grant–in–Aid to the World Trade Center North Carolina to support international trade education programs to small and medium sized businesses.	$200,000	**NR**
13 **North Carolina Minority Support Center** Funds to provide technical assistance to community–based minority credit unions.	$275,000	**NR**
14 **Land Loss Prevention Project, Inc.** Funds to provide free legal representation to low–income, financially distressed farmers.	$275,000	**NR**
15 **N.C. Institute for Minority Economic Development** Funds to foster minority economic development within the state through policy analysis, information and technical assistance, resource expansion, and support of community–based initiatives.	$780,000	**NR**
16 **Coalition of Farm and Rural Families** Funds to foster economic development within the state's rural farm communities by offering marketing and technical assistance to small and limited resource farmers.	$145,000	**NR**
Industrial Commission		
17 **Additional Staff Support** Provide funds to establish an Applications Programmer II position to assist in maintaining the Industrial Commission's Electronic Document System and Local Area Network.	$38,744 $3,500 1.00	**R** **NR**

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Commerce *(Continued)*	GENERAL FUND FY 96–97	
18 **Industrial Commission Temporary Staff**		
Nonrecurring funds to extend temporary staff positions an additional year.	$184,253	**NR**
19 **Eliminate Reserve for Ombudsmen Expense**	($29,386)	**R**
Eliminate funds in excess of program requirements.		
20 **Industrial Commission Automation**		
Nonrecurring funds to complete final phase installation of the Electronic Document Storage and Retrieval System.	$1,200,000	**NR**
21 **Budget Commission Hearing Cost Receipts**	($250,000)	**R**
Increase the budgeted amount of Industrial Commission Hearing Cost receipts and reduce the Industrial Commission's general fund appropriation.		
NC Alliance for Competitive Technologies		
22 **Match Federal Funds**		
Nonrecurring funds to match federal grant to continue operations.	$350,000	**NR**
Reserves		
23 **Year of the Mountain**		
Reserve for planning initiatives.	$300,000	**NR**
Travel and Tourism		
24 **Rural Tourism Development Funds**		
Funds to support a Rural Tourism Development grants program and to fund the 1996 Babe Ruth Regional All–Star Tournament.	$110,000	**NR**
Budget Changes	**($469,419)**	**R**
	$11,822,753	**NR**
Total Position Changes	1.00	
Revised Total Budget	**$46,976,268**	

Summary of Budget Changes: Commerce

	Recurring	Nonrecurring	Positions
Reductions	($508,163)		
Increases	$38,744	$11,822,753	1.00

(Pages E6–E12) ENVIRONMENT, HEALTH, AND NATURAL RESOURCES	GENERAL FUND FY 96–97	
Total Budget Approved 1995 Session	**$230,733,328**	
Budget Changes		
(2.00) Forest Resources		
25 **Forestry Headquarters**		
Funds to purchase a storage building and truck lift for the Warren County forestry headquarters site.	$46,000	**NR**
26 **Assistant County Rangers**	$34,539	**R**
Funds to support one Assistant County Ranger Position in District IV and one Assistant County Ranger in District II.	$21,901	**NR**
	1.00	
27 **Bladen Lakes State Forest**	($45,084)	**R**
Eliminate remaining general fund appropriation and shift position to receipt support.	–1.00	
(2.00) Office of Environmental Education		
28 **Water Quality and River Basin Education Programs**	$144,250	**R**
Funds to develop and implement water quality environmental education programs for each of the state's 17 river basins.	$20,394	**NR**
	3.00	

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Environment, Health, and Natural Resources *(Continued)*	GENERAL FUND FY 96–97	
(2.00) Parks and Recreation		
29 **Adopt–a–Trails Program** Funds to expand the Adopt–a–Trails grant program.	$100,000	R
(2.00) Soil and Water Conservation		
30 **Odor Control Technology Study** Funds for the UNC Board of Governors for the Agricultural Research Service at NCSU to conduct research into economically feasible odor control technologies and to provide detailed economic analysis of odor management alternatives; provided these funds are matched with an equal sum from private sources.	$600,000	NR
31 **Agriculture Cost Share Program** Additional funds for the Agriculture Cost Share Program for Nonpoint Source Pollution Control to assist existing farming operations in obtaining an approved animal waste management plan. These funds may not be allocated to operations in the Neuse River Basin.	$5,750,000	NR
32 **Agriculture Cost Share Program – Neuse River Basin** Additional funds for the Agriculture Cost Share program for Nonpoint Source Pollution Control to assist existing farming operations in obtaining an approved animal waste management plan and in the installation of BMPs. These funds may be allocated only for use in the Neuse River Basin.	$1,750,000	NR
33 **Statewide Technical Assistance to Animal Operation** Funds to provide technical assistance to operators of animal operations in the process of obtaining an approved animal waste management plan.	$1,167,500	NR
34 **Agriculture Cost Share Program – Tech. Assistance** Additional funds for county reimbursement, up to 50% of the cost of providing technical assistance in the planning, design and installation of agricultural BMPs.	$200,000	R
35 **Support for Soil & Water Conservation Districts** Additional matching funds for local Soil and Water Conservation Districts ($2,000 per county) for operating expenses.	$200,000	R
36 **Additional Staff** Funds for additional staff for the Division of Soil and Water Conservation, including a Local Area Network Administrator, an environmental supervisor to coordinate activities in the state's river basins, a technician for the Agriculture Cost Share Program and a budget/personnel/grants specialist.	$194,250 $5,750 4.00	R NR
37 **Soil Survey** Funds for two temporary soil survey specialist positions to update existing soil surveys in Buncombe County.	$100,000	NR
(3.00) Coastal Resources		
38 **Adopt–a–Beach Program** Funds to support the Adopt–a–Beach pilot program.	$30,000	NR
(3.00) Environmental Management		
39 **Basinwide Planning Data Management** Funds to establish advanced computer based technologies to modernize and consolidate existing computerized information management, and expand computer based data management and analysis capabilities.	$750,000	NR

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

	Environment, Health, and Natural Resources *(Continued)*	GENERAL FUND FY 96–97	
40	**Wetlands Restoration Program and Fund** Funds to administer a comprehensive wetlands restoration program and mitigation fund for the acquisition, restoration, enhancement, and creation of wetlands and riparian resources in each of the state's 17 river basins.	$500,000 8.00	**R**
41	**Aboveground Storage Tanks** Funds for inspection and monitoring of large oil terminal and bulk handling facilities.	$200,000	**NR**
42	**Groundwater Impact of Lagoons Study** Funds for the UNC Board of Governors for the Agricultural Research Service at NCSU to design and implement a scientifically based study for the purpose of determining the extent to which lagoons pose a threat, if any, to the groundwater of the state.	$375,000	**NR**
43	**Alternative Animal Waste Technologies Study** Funds for the UNC Board of Governors for the Agricultural Research Service at NCSU to serve as a focal point for experimentation with and testing of alternative animal waste disposal technologies for use in agriculture.	$500,000	**NR**
44	**Isotope Study of Neuse and Cape Fear River Basins** Funds for the UNC Board of Governors to design and implement a scientifically valid study that uses available technology to identify the nonpoint sources of nitrogen in the surface waters of the Neuse River and Cape Fear River Basins.	$372,000	**NR**
45	**Neuse River Modeling and Monitoring** Funds to complete a hydrodynamic model of the Neuse River Estuary, to expedite a fate/transport nutrient model for the Neuse River, to establish permanent stream gauges to permit continuous data collection and real time monitoring.	$720,000	**NR**
46	**Statewide Water Quality Monitoring** Funds to expand water quality monitoring activities of the state's rivers and streams.	$194,128 $37,500 1.00	**R** **NR**
47	**Assistance to municipalities in Neuse River Basin** Funds to provide grants to local government units in the Neuse River Basin for improved wastewater treatment systems and stormwater control measures aimed at reducing nitrogen levels in the Neuse River Basin.	$2,000,000	**NR**
48	**Study Atmospheric Deposition of Nitrogen** Funds for research and modeling to identify the amount of atmospheric nitrogen reaching the Neuse estuary to enable the development of strategies to reduce the most significant sources to improve water quality.	$450,000	**NR**
(3.00)	**Land Resources**		
49	**Technical Assistance and Public Awareness Programs** Funds to support technical assistance, training, education, and public awareness programs and activities associated with mining and sedimentation control.	$175,000	**R**

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Environment, Health, and Natural Resources *(Continued)*	GENERAL FUND FY 96–97	
50 **Increase Receipts Geodetic Survey Section**	($200,000)	**R**
Increase budgeted receipts and reduce the section's general fund appropriation.		
(3.00) Solid Waste Management		
51 **Change Hazardous Waste Report Requirement**	($69,568)	**R**
Change Hazardous Waste Report from annual to biannual to coincide with federal hazardous waste regulation reporting requirements.	–2.00	
(3.00) Waste Reduction		
52 **Recycling Business Assistance Center**	$170,500	**R**
Funds to continue the activities of the Recycling Business Assistance Center (RBAC).	$5,500 3.00	**NR**
(4.00) Environmental Health		
53 **Straight Pipe Elimination**	$117,500	**R**
Funds to establish a program to identify and elminate straight pipe sewage and wastewater discharges and failing septic systems throughout the state.	$12,500 2.00	**NR**
54 **Food Sanitation**		
Funds to provide training and continuing education to persons who conduct food and lodging inspections for county health departments.	$100,000	**NR**
(4.00) Epidemiology		
55 **Reduce Contracts to Educational Institutions**	($276)	**R**
Division's allocation for reduction in contracts to educational institutions.		
(4.00) Health Promotion		
56 **Reduce Contracts to Educational Institutions**	($34,617)	**R**
Division's allocation for reduction in contracts to educational institutions.		
57 **State Games of North Carolina**	$150,000	**NR**
Funds for the Governor's Council on Physical Fitness to support the State Games.		
58 **Arthritis Program**		
Continue grant–in–aid for private local project providing services to arthritis patients in Mecklenburg County.	$15,000	**NR**
59 **Pharmaceuticals for non–Medicaid HIV patients**	$400,000	**R**
Funds to provide life–sustaining medications for medically indigent, non–Medicaid eligible persons infected with the human immunodeficiency virus.		
(4.00) Laboratory Services		
60 **Reduce Laboratory Services in Health Lab**	($9,300)	**R**
Eliminate analyses currently performed for hospitals free of charge.		
(4.00) Local Health Services		
61 **Reduce Contracts to Educational Institutions**	($2,441)	**R**
Division's allocation for reduction in contracts to educational institutions.		
(4.00) Maternal and Child Health		
62 **UNC Craniofacial Center**		
Funds for grant to UNC Board of Governors for the UNC Craniofacial Center at the School of Denistry at UNC–Chapel Hill to provide diagnostic and treatment services for children with craniofacial anomalies.	$200,000	**NR**

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Environment, Health, and Natural Resources *(Continued)*	GENERAL FUND FY 96–97	
63 **Renovation Funds for WIC Clinics** Reduce renovation funds for local WIC clinics.	($250,000)	**R**
64 **Cochlear Implants** Funds for grant to UNC Board of Governors for the Carolina Communicative Disorders Program at the School of Medicine at UNC–Chapel Hill to provide cochlear implants and other communication devices for hearing impaired children.	$200,000	**NR**
65 **Reduce Contracts to Educational Institutions** Division's allocation for reduction in contracts to educational institutions.	($212,666)	**R**
66 **Non–Medicaid Maternity Care Coordination** Reduce funds for case management services for women who do not meet Medicaid eligibility requirements.	($170,900)	**R**
(5.00) Reserves and Special Funds		
67 **Multi–County Water Conservation & Infrastructure** Funds for seven additional counties in the Multi–County Water Conservation and Infrastructure District.	$1,000,000	**NR**
68 **Clean Water Management Trust Fund** Earmarks 6.5% of the year–end general fund credit balance annually to help finance projects that address water pollution problems and focus on upgrading surface waters, elminating pollution and protecting and conserving unpolluted surface waters, including urban water supplies, and also to develop a network of riparian buffers and greenways for environmental, educational and recreational benefits.		
69 **Healthy Start Foundation** Funds to provide statewide planning, promotion, and coordination for the First Step Campaign and to support other programs and activities aimed at reducing infant mortality.	$650,000	**NR**
70 **Reserve for Animal Waste Permitting & Compliance** Funds for support and staff to perform permitting, enforcement, compliance, and field activities associated with the permitting of animal waste management systems and the development of appropriate enforcement activities.	$1,550,766 32.00	**R**
Division of Soil and Water $704,473 R 14 positions		
Division of Environmental Management $846,293 R 18 positions		
71 **Partnership for the Sounds – Expansion** Funds for the North Carolina Estuarium film and gift shop in Washington, to develop a roadside overlook on Highway 94 between Columbia and Fairfield, to renovate a theater, which will serve as an environmental education center in Columbia, for additional renovations to Lake Mattamuskeet Lodge, to continue development of the Roanoke Visitors Center in Windsor.	$800,000	**NR**

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Environment, Health, and Natural Resources *(Continued)*	GENERAL FUND FY 96–97	
72 **Reserve for General Assembly Study** Funds for legislative study commission to study and evaluate the impact and issues related to abandoned, closed and nonoperating animal waste lagoons and facilities.	$25,000	**NR**
73 **Forestry Headquarters Pilot Project** Funds for a pilot project to construct a forestry headquarters building.	$150,000	**NR**
(7.00) Wildlife Resources Commission		
74 **Beaver Control Program** Continues Beaver Control Program with nonrecurring funds. Expands coverage from 27 to 36 counties.	$450,000	**NR**
75 **Beaver Control Program** Eliminate recurring appropriation for the Beaver Control Program. Program will be funded with nonrecurring appropriation.	($150,000)	**R**
Budget Changes	**$2,836,081**	**R**
	$18,654,045	**NR**
Total Position Changes	51.00	
Revised Total Budget	**$252,223,454**	

Summary of Budget Changes: Environment, Health, and Natural

	Recurring	Nonrecurring	Positions
Reductions	($1,144,852)		−3.00
Increases	$3,980,933	$18,654,045	54.00

(Page E13) **HOUSING FINANCE AGENCY**	GENERAL FUND FY 96–97	
Total Budget Approved 1995 Session	**$2,300,000**	
Budget Changes		
Housing Finance Agency		
76 **Housing Trust Fund** Support for the Housing Trust Fund.	$3,500,000	**NR**
Budget Changes	**$3,500,000**	**NR**
Total Position Changes		
Revised Total Budget	**$5,800,000**	

Summary of Budget Changes: Housing Finance Agency

	Recurring	Nonrecurring	Positions
Reductions			
Increases		$3,500,000	

(Page E14) **LABOR**	FY 96–97	
Total Budget Approved 1995 Session	**$14,941,825**	
Budget Changes		
Commissioner's Office		
77 **Replace reduced federal indirect cost receipts** Recurring funds to replace reduced federal indirect cost receipts used to fund ten existing receipt supported positions.	$419,183 10.00	**R**
Budget Changes	**$419,183**	**R**
Total Position Changes	10.00	
Revised Total Budget	**$15,361,008**	

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Labor *(Continued)* GENERAL FUND FY 96–97

Summary of Budget Changes: Labor

	Recurring	Nonrecurring	Positions
Reductions			
Increases	$419,183		10.00

(Page E15) GENERAL FUND
MCNC FY 96–97
Total Budget Approved 1995 Session $19,765,000

Budget Changes
MCNC
78 **Reduce Continuation Funding** ($1,000,000) **R**
Reduce recurring appropriation to MCNC by $1 million.
79 **Transfer Appropriation to UNC Board of Governors** ($13,000,000) **R**
Transfer $13 million to the UNC Board of Governors for the purchase of contracted supercomputing and research and networking capabilities for North Carolina universities and colleges.
Budget Changes **($14,000,000) R**
Total Position Changes
Revised Total Budget $5,765,000

Summary of Budget Changes: MCNC

	Recurring	Nonrecurring	Positions
Reductions	($14,000,000)		
Increases			

(Page E16) GENERAL FUND
NC BIOTECHNOLOGY CENTER FY 96–97
Total Budget Approved 1995 Session $7,664,396

Budget Changes
Business and Technology Development
80 **Economic Development Investment Fund**
Nonrecurring funding increase for the N.C. Biotechnology Center's Economic Development Investment Fund. Funds are to be used for loans to start–up biotechnology companies and bioscience companies moving to North Carolina. $1,000,000 **NR**
Budget Changes **$1,000,000 NR**
Total Position Changes
Revised Total Budget $8,664,396

Summary of Budget Changes: NC Biotechnology Center

	Recurring	Nonrecurring	Positions
Reductions			
Increases		$1,000,000	

(Page E17–E18) GENERAL FUND
RURAL ECONOMIC DEVELOPMENT CENTER FY 96–97
Total Budget Approved 1995 Session $3,170,000

Budget Changes
Rural Economic Development Center
81 **Previously Funded Local CDCs**
Funds for direct grants to local community development corporations that have previously received state funds. $900,000 **NR**

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Rural Economic Development Center *(Continued)*	GENERAL FUND FY 96–97	
82 **New and Emerging CDCs** Funds for direct grants to local community development corporations that have not previously received state funds.	$250,000	**NR**
83 **North Carolina Association of CDCs** Funds to provide training, technical assistance, resource development, project assistance, and support for local community development corporations statewide.	$150,000	**NR**
84 **Administration** Funds to the Rural Economic Development Center to cover administrative expenses.	$50,000	**NR**
85 **Microenterprise Loan Program** Funds to support the operations of the Microenterprise Loan Program.	$250,000	**NR**
86 **Supplemental Funding Program** Funds for matching requirements for economic development in economically distressed areas.	$950,000	**NR**
87 **Opportunities Industrialization Centers (OICs)** Funds to support the following OICs: Wilson, Rocky Mount, Elizabeth City, Pitt–Greenville, Lenoir, Greene, and Jones counties.	$150,000	**NR**
Budget Changes	**$2,700,000**	**NR**
Total Position Changes		
Revised Total Budget	**$5,870,000**	

Summary of Budget Changes: Rural Economic Development Center

	Recurring	Nonrecurring	Positions
Reductions			
Increases		$2,700,000	

(Pages F1–F4)

DEPARTMENT OF TRANSPORTATION	HIGHWAY FUND FY 96–97	
Total Budget Approved 1995 Session	**$1,046,316,000**	
Budget Changes		
Construction and Maintenance		
1 **Statutory Allocation – Secondary Road Construction** Allocates increases in gas tax revenue to secondary road construction in accordance with G.S. 136–44.2A.	$1,103,000	**R**
2 **Statutory Allocation – Municipal Aid (Powell Bill)** Allocates increases in gas tax revenue to Powell Bill funds in accordance with G.S. 136–44.1.	$1,103,000	**R**
3 **Contract Resurfacing** Funds are to be used for pavement maintenance through contract resurfacing.	$6,748,423	**NR**
Division of Motor Vehicles		
4 **Additional Funding for STARS Implementation** Funds for the following items: $156,000 for 11 new toll free telephone lines; $184,414 for additional data processing equipment; and $90,000 for printer supplies needed for an August 1996 implementation of the new State Titling and Registration System (STARS).	$246,000 $184,414	**R** **NR**

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

	Department of Transportation *(Continued)*	HIGHWAY FUND	
	Division of Motor Vehicles *(Continued)*	FY 96–97	
5	**Funds for License Plates and Stickers** These funds will be used by the Division for the following purposes: $684,000 to increase plate inventories at branch agent offices; $97,564 for less frequently issued classes of plates; $264,000 for costs of redesigned registration stickers; and $24,900 for mailers needed due to increased mail–in renewals.	$1,070,464	R
6	**Vehicle Registration Position Reductions** The Division of Motor Vehicles may achieve a $1.6 million reduction in its 1996–97 certified budget by eliminating 71 positions in the Vehicle Registration Section instead of 105 positions.		
7	**Traffic Records Section** Funds will replace receipts from the sale of traffic record reports. Changes in the public records laws have reduced the amount that can be charged for uncertified copies of traffic reports from $4 to $1.	$381,000	R
8	**Increased Lease Requirements** Funds are for payment of increasing lease costs at six Driver License offices.	$46,083	R
9	**Driver License Office Improvements** Funds are for improvements to 11 offices.	$462,302	NR
10	**New Driver License Office in Mecklenburg County** Provides funds to open an additional driver license office in Mecklenburg County to serve the south-eastern part of the county.	$150,643	R
11	**DMV Office Complex Planning** Funds are available for planning and design of a new DMV office complex.	$650,000	NR
	Reserves		
12	**Criminal Justice Information Network** Funds are for the Highway Patrol to develop the infrastructure for a mobile data transmission network as part of the Criminal Justice Information Network.	$2,000,000	NR
13	**Highway Patrol – Mobile Data Transmission** Funds are for the purchase of 184 mobile data computers for use in Highway Patrol vehicles along the I–85 and I–95 corridors.	$1,288,000	NR
14	**Salary Increases** Creates a reserve to fund salary increases for positions supported by the Highway Fund.	$14,008,494 $851,906	R NR
15	**STARS Implementation** 11 positions in the Division of Motor Vehicles are eliminated effective 12/31/96. Funds in the amount of $135,389 realized from the elimination of these positions are placed in a reserve and shall be used only to support the implementation of the State Titling and Registration System (STARS). Unspent funds shall revert to the Highway Fund.	–11.00	
16	**Rail Travel Enhancement** Funds are available for the categories of rail projects listed in G.S. 136–16.6(b).	$1,700,000	NR

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

	HIGHWAY FUND FY 96–97	
Department of Transportation *(Continued)*		
Reserves *(Continued)*		
17 **Capital Project Needs**		
Funds are provided for the following capital projects in DOT in the priority order submitted by DOT:	$1,958,126	**NR**
1. R.E.U Office/Assembly & Storage Facility Newton – $67,000		
2. M & T Boiler Replacement/HVAC Renovation Raleigh – $400,000		
3. Maintenance Office/Assembly Franklin – $52,000		
4. R.E.U./Road Oil Building North Wilkesboro – $61,000		
5. Main Building External Renovations Raleigh – $287,500		
6. Resurface Parking Lot Greensboro – $200,000		
7. Bridge Maintenance Office Addition Williamston – $105,000		
8. Bridge Maintenance Office Addition Newton – $100,026		
9. Bridge Maint. Office/Warehouse/Lumber Shed Creswell – $54,000		
10. District Office Washington – $45,000		
11. District Office Henderson – $45,000		
12. District Engineer's Office Andrews – $62,000		
13. Engineering Building Purchase Rockingham – $280,000		
14. District Engineer's Office New Bern – $62,000		
15. District Engineer's Office Jacksonville – $62,000		
16. Pesticide Storage Building Sylva – $75,000		
Transportation Administration		
18 **Technical Assistance for STARS**		
Funds are for contractual services to provide on–going technical support for the new State Titling and Registration System (STARS).	$1,200,905	**NR**
19 **Technical Support for Driver License System**		
Funds are for contractual services to provide on–going technical support for the Driver License System.	$1,262,240	**NR**
20 **Driver License Medical Imaging System**		
Funds are for the purchase of imaging equipment and integration of the equipment into the Driver License System.	$318,000	**NR**
21 **SIPS Telecommunications Charges**	$960,000	**R**
Funds are for increased SIPS costs resulting from the installation of high speed data circuits and local area networks.		
Budget Changes	**$19,068,684**	**R**
	$18,624,316	**NR**
Total Position Changes	–11.00	
Revised Total Budget	**$1,084,009,000**	

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Department of Transportation *(Continued)* HIGHWAY FUND
FY 96–97

Summary of Budget Changes: Department of Transportation

	Recurring	Nonrecurring	Positions
Reductions			
Increases	$19,068,684	$18,624,316	−11.00

(Pages G1–G2)

STATEWIDE RESERVES – 96 SESSION GENERAL FUND
FY 96–97

1	**Salary Compensation Increases – Effective 9–1–96**		$265,298,184	**R**
	Public Schools:		$4,128,000	**NR**
	Raise Average Teacher Salary (5.5%)	$110,166,186		
	Principals & Assistant Principals (5.5%)	9,956,990		
	Other Public School Employees (4.5%)	26,235,899		
	Bonus for Teachers at Top of Scale	3,000,000 NR		
	Subtotal	$146,359,074		
		$ 3,000,000 NR		
	Community Colleges:			
	Teaching Faculty (4.5%)	$10,976,194		
	Other Community College (4.5%)	5,157,576		
	Subtotal	$16,133,770		
	University Employees:			
	EPA Teaching Faculty (4.5%)	$22,175,786		
	Other EPA Employees (4.5%)	7,594,297		
	School of Science & Math (5.5%)	132,317		
	Subtotal	$29,902,399		
	SPA Employees:			
	University SPA Employees (4.5%)	$13,666,317		
	SPA Agency & Department Employees (4.5%)	$50,881,177		
	Adjustment for Maximum of Pay Grade	($1,127,716)		
	2% Bonus for SPA Employees at top of range	$ 1,128,000 NR		
	Subtotal	$63,419,778		
		$ 1,128,000 NR		
	Other State Employees (4.5%)	$8,049,411		
	Agency School Teachers (5.5%)	$1,433,752		

H.B. 53 (PCCS–4294) **Budget Modifications** *(Continued)*

Statewide Reserves – 96 Session *(Continued)*	GENERAL FUND FY 96–97	
Reserve for Compensation Increases	($1,879,377)	**R**
Reduce Funds for Retirement Rate Adjustment	($325,600)	**R**
Reduction in Postage	($300,000)	**R**
Reserve for Criminal Justice Information System	$400,000	**R**
Reserve for Military Affairs	$200,000	**NR**
Salary Adjustment Fund	$1,500,000	**R**
Structured Sentencing	$1,433,800	**NR**
Reduction in Debt Service	($9,000,000)	**R**
Total Reserves	**$255,693,207**	**R**
	$5,761,800	**NR**

SUMMARY OF BILLS AND RESOLUTIONS
REMAINING IN THE SENATE
1995 SESSION
SECOND EXTRA SESSION 1996

The following bills and resolutions remained in the Senate upon adjournment *sine die* and shall be transferred to the Division of Archives and History of the Department of Cultural Resources upon adjournment *sine die* of the 1997 General Assembly in accordance with G.S. 120–37(f).

Bill No.	Short Title	Identical Bill/Last Action or Note
CONFERENCE COMMITTEE		
H 52	Budget Changes	
HELD (Rule 43)		
S 27	Gaming Study Commission	H 27/H Rules
S 28	Education Lottery—1996	H 60/H Unfav Rept
S 37	Isotope Study Funds for Neuse/Cape Fear	
S 43	Campaign Finance Reform	
FAILED TO PASS — NONE —		
POSTPONED INDEFINITELY — NONE —		
TABLED — NONE —		
APPROPRIATIONS		
S 4	Soft Drink Tax on Milk Drinks	H 22/H Rules
S 7	Modify State Ports Tax Incentive	
S 8	1996 Tax Relief Act	
S 10	NC Housing Trust Funds	
S 11	Kure Beach Renourishment Funds	H 10/H Rules
S 12	ECU Stadium Expansion Funds	H 9/ H Rules
S 15	Study NC Role in Global Affairs/LRC	
S 25	ECU Science Building Funds	
S 30	Nathaniel Macon Home Grounds/DOT	
S 33	Reserve for Farm Loans Funds	
S 34	NC Biotechnology Center Funds	
S 35	Fire Pensions Increased	H 23/ H Rules
S 38	Computer Access/Rules	
S 40	Neuse/Cape Fear Study Funds	
S 45	Modify 1996–97 Budget	
S 48	Disaster Relief Funds	
S 49	Modify 1996–97 Budget	
H 79	Disaster Relief Funds	
FINANCE		
S 13	Economic Incentives Funds	
S 14	Reduce Corporate Income Tax	
S 16	Bundled Transactions Sales Tax	
S 18	No Sales Tax on Donated Items	
S 19	Refund Federal Retirees	H 30/Ch. 19
S 20	Repeal State Food Tax	

Summary of Bills/Resolutions Remaining in Senate

FINANCE (Continued)

Bill No.	Short Title	Identical Bill/Last Action or Note
S 21	Repeal Inheritance Tax	
S 22	Repeal Privilege License Taxes	
S 23	Inheritance and Gift Tax Changes	
S 32	Provide Tax Credits for Property Donations	
S 36	Modify Franchise Tax Base	
S 39	Reduce Corporate Tax	
S 42	Revise Newsprint Tax	

LOCAL GOVERNMENT AND REGIONAL AFFAIRS

S 17	Iredell–Mooresville School Boundaries	H 5/Ch. 4

PENSIONS & RETIREMENT/INSURANCE/STATE PERSONNEL — NONE —

RULES AND OPERATION OF THE SENATE

S 31	Extend Child Fatality Task Force
S 50	Enabling/End Per Diem/Second Extra Session 1996

SENATE SIMPLE RESOLUTIONS

S 1	Rules Second Extra Session 1996
S 44	Amend Rules/1996 (Rule 40.1)

UNFAVORABLE REPORT FOR AMENDMENT AS COMMITTEE SUBSTITUTE (* Title Change)

Bill No.	Short Title	Identical Bill/Rewritten by Committee
S 41	* Nonpartisan Superior Court Elections	Rules
H 18	* Tax Reduction Act of 1996	Finance
H 30	* Refund Federal Retirees	S 19/Finance
H 52	* Budget Changes	Appropriations
H 53	* Budget/Salary and Education Funds	Appropriations
H 61	Speaker's Appointments	Rules

SUMMARY OF BILLS AND RESOLUTIONS
ORDERED SENT TO THE HOUSE OF REPRESENTATIVES 1995 SESSION SECOND EXTRA SESSION 1996

Bill No.	Short Title	Final Action (Identical Bill/Last Action)	
S 5	Quality Jobs and Business Expansion	H Rules	
S 24	Aberdeen Annexation (Moore)	H Rules	
S 26	Administrative Procedures Tech. Changes	H Rules	
S 29	Reidsville Annexations (Rockingham)	H Rules	H 70/H Rules
S 47	Enabling/Criminal Penalties/Explosives	H Rules	

VOTE SUMMARY
BY SEQUENCE
1995 SESSION
SECOND EXTRA SESSION 1996

Votes are recorded in the Senate Chamber pursuant to the *Constitution of North Carolina* and Senate Rules 25 through 30. This summary of votes is in sequential order from convening July 8, 1996, through adjournment *sine die*, August 3, 1996. An abbreviated title appears **below** the reflected vote.

It will be noted that numerical figures appear within parentheses throughout the Senate Journal. These figures represent the affirmative and negative votes cast and recorded electronically, pursuant to Senate Rule 25. Copies of the voting print–out are on file in the Legislative Library and the original is deposited in the Division of Archives and History of the Department of Cultural Resources.

Legend

SEQ# = Sequential order of votes from beginning to end of Session
DATE = Date of daily Session
BILL = Bill Number on which vote taken
RDG = Reading
CR = Conference Report
MOT = Motion Code [Rule 25(h)]
1. To lay on the table.
2. For the previous question.
3. To postpone indefinitely.
4. To postpone to a day certain.
5. To refer to a committee.
6. To reconsider.
7. To adopt.
8. To concur.
9. To take from the table.
0. Miscellaneous.

AMD = Amendment Number
TOTALS = Y– Aye
N– No
P– Pairs (number announced)
NV– Not Voting
EXA– Excused Absence
EXV– Excused Vote

SEQ#	DATE	BILL	RDG	CR	MOT	AMD	TOTALS
1	07/08/96						Y–26 N–24 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
2	07/08/96	**SR1**				2	Y–39 N–10 P–0 NV–0 EXA–1 EXV–0 PERMANENT RULES
3	07/08/96	**SR1**			7		Y–48 N–1 P–0 NV–0 EXA–1 EXV–0 PERMANENT RULES
4	07/09/96						Y–0 N–50 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
5	07/09/96	**SB2**	2				Y–38 N–12 P–0 NV–0 EXA–0 EXV–0 REENACT CRAVEN ROOM TAX

SEQ#	DATE	BILL	RDG	CR MOT	AMD	TOTALS	(LEGEND—SEE PAGE 391)
6	07/09/96	SB5	2			Y–46 N–3 P–0 NV–1 EXA–0 EXV–0	QUALITY JOBS AND BUSINESS EXPANSION
7	07/09/96	SB3		0	1	Y–26 N–23 P–0 NV–1 EXA–0 EXV–0	PELETIER INCORPORATED
8	07/09/96	SB3	2			Y–49 N–0 P–0 NV–1 EXA–0 EXV–0	PELETIER INCORPORATED
9	07/10/96					Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
10	07/10/96	SB2	3			Y–34 N–11 P–0 NV–5 EXA–0 EXV–0	REENACT CRAVEN ROOM TAX
11	07/10/96	SB3	3			Y–46 N–1 P–0 NV–3 EXA–0 EXV–0	PELETIER INCORPORATED
12	07/10/96	SB5			1	Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	QUALITY JOBS AND BUSINESS EXPANSION
13	07/10/96	SB5			2	Y–49 N–0 P–0 NV–0 EXA–1 EXV–0	QUALITY JOBS AND BUSINESS EXPANSION
14	07/10/96	SB5	3			Y–48 N–1 P–0 NV–0 EXA–1 EXV–0	QUALITY JOBS AND BUSINESS EXPANSION
15	07/10/96	SB6	2			Y–49 N–0 P–0 NV–0 EXA–1 EXV–0	1996 TAX REFORM ACT
16	07/11/96					Y–47 N–2 P–0 NV–0 EXA–1 EXV–0	TEST VOTE
17	07/15/96					Y–26 N–24 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
18	07/15/96	SB6			1	Y–21 N–24 P–0 NV–0 EXA–0 EXV–5	1996 TAX REFORM ACT
19	07/15/96	SB6	3			Y–48 N–2 P–0 NV–0 EXA–0 EXV–0	1996 TAX REFORM ACT
20	07/16/96					Y–0 N–50 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
21	07/16/96	HCB53		6		Y–23 N–26 P–0 NV–0 EXA–1 EXV–0	MODIFY 1996–97 BUDGET
22	07/16/96	HCB53			3	Y–24 N–24 P–0 NV–1 EXA–1 EXV–0	MODIFY 1996–97 BUDGET
23	07/16/96	HCB53			3	Y–24 N–24 P–0 NV–1 EXA–1 EXV–0	MODIFY 1996–97 BUDGET
24	07/16/96	HCB53			4	Y–49 N–0 P–0 NV–0 EXA–1 EXV–0	MODIFY 1996–97 BUDGET
25	07/16/96	HCB53			5	Y–41 N–6 P–0 NV–2 EXA–1 EXV–0	MODIFY 1996–97 BUDGET
26	07/16/96	HCB53			6	Y–25 N–24 P–0 NV–0 EXA–1 EXV–0	MODIFY 1996–97 BUDGET
27	07/16/96	HCB53			7	Y–47 N–1 P–0 NV–1 EXA–1 EXV–0	MODIFY 1996–97 BUDGET
28	07/16/96	HCB53		6	3	Y–25 N–24 P–0 NV–0 EXA–1 EXV–0	MODIFY 1996–97 BUDGET
29	07/16/96	HCB53			3	Y–23 N–26 P–0 NV–0 EXA–1 EXV–0	MODIFY 1996–97 BUDGET
30	07/16/96	HCB53			2	Y–27 N–22 P–0 NV–0 EXA–1 EXV–0	MODIFY 1996–97 BUDGET
31	07/16/96	HCB53		6	6	Y–26 N–23 P–0 NV–0 EXA–1 EXV–0	MODIFY 1996–97 BUDGET

SEQ#	DATE	BILL	RDG	CR MOT	AMD	TOTALS (LEGEND—SEE PAGE 391)
32	07/16/96	**HCB53**			6	Y–24 N–25 P–0 NV–0 EXA–1 EXV–0 MODIFY 1996–97 BUDGET
33	07/16/96	**HCB53**	2			Y–26 N–23 P–0 NV–0 EXA–1 EXV–0 MODIFY 1996–97 BUDGET
34	07/16/96	**HCB53**	3			Y–26 N–23 P–0 NV–0 EXA–1 EXV–0 MODIFY 1996–97 BUDGET
35	07/17/96					Y–49 N–0 P–0 NV–0 EXA–1 EXV–0 TEST VOTE
36	07/17/96	**HB4**	2			Y–47 N–0 P–0 NV–2 EXA–1 EXV–0 HENDERSON ANNEXATION
37	07/17/96	**HB4**	2			Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 HENDERSON ANNEXATION
38	07/17/96	**HB5**	2			Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 IREDELL-MOORESVILLE SCHOOL BOUNDARIES
39	07/17/96	**HB6**	2			Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 SPRUCE PINE DEANNEXATION
40	07/17/96	**HB15**	2			Y–48 N–0 P–0 NV–1 EXA–1 EXV–0 MOUNT OLIVE ANNEXATION
41	07/17/96	**HB2**	2			Y–45 N–0 P–0 NV–3 EXA–2 EXV–0 SUMMERFIELD CORPORATE LIMITS
42	07/17/96	**HCB52**		7		Y–31 N–14 P–0 NV–3 EXA–2 EXV–0 BUDGET CHANGES
43	07/17/96	**HCB52**	2			Y–46 N–1 P–0 NV–1 EXA–2 EXV–0 BUDGET CHANGES
44	07/18/96					Y–0 N–50 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
45	07/18/96	**HB2**	3			Y–47 N–0 P–0 NV–3 EXA–0 EXV–0 SUMMERFIELD CORPORATE LIMITS
46	07/18/96	**HB17**	2			Y–46 N–0 P–0 NV–4 EXA–0 EXV–0 DANBURY VALIDATION
47	07/18/96	**HB34**	2			Y–46 N–0 P–0 NV–4 EXA–0 EXV–0 SPRUCE PINE ANNEXATION
48	07/18/96	**HCB18**	2	2		Y–26 N–23 P–0 NV–1 EXA–0 EXV–0 TAX REDUCTION ACT OF 1996
49	07/18/96	**HCB18**	2			Y–47 N–2 P–0 NV–1 EXA–0 EXV–0 TAX REDUCTION ACT OF 1996
50	07/18/96	**HB4**	3			Y–47 N–0 P–0 NV–3 EXA–0 EXV–0 HENDERSON ANNEXATION
51	07/18/96	**HB5**	3			Y–47 N–0 P–0 NV–3 EXA–0 EXV–0 IREDELL-MOORESVILLE SCHOOL BOUNDARIES
52	07/18/96	**HB6**	3			Y–47 N–0 P–0 NV–3 EXA–0 EXV–0 SPRUCE PINE DEANNEXATION
53	07/18/96	**HB15**	3			Y–47 N–0 P–0 NV–3 EXA–0 EXV–0 MOUNT OLIVE ANNEXATION
54	07/19/96					Y–25 N–25 P–0 NV–0 EXA–0 EXV–0 TEST VOTE
55	07/19/96	**HB17**	3			Y–39 N–0 P–0 NV–2 EXA–9 EXV–0 DANBURY VALIDATION
56	07/19/96	**HCB18**			1	Y–40 N–0 P–0 NV–1 EXA–9 EXV–0 TAX REDUCTION ACT OF 1996
57	07/19/96	**HCB18**	3			Y–39 N–0 P–1 NV–2 EXA–9 EXV–0 TAX REDUCTION ACT OF 1996

SEQ#	DATE	BILL	RDG	CR	MOT	AMD	TOTALS	(LEGEND—SEE PAGE 391)
58	07/19/96	**HB34**	3				Y–39 N–0 P–0 NV–2 EXA–9 EXV–0	SPRUCE PINE ANNEXATION
59	07/22/96						Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
60	07/23/96						Y–46 N–0 P–0 NV–0 EXA–4 EXV–0	TEST VOTE
61	07/24/96						Y–45 N–0 P–0 NV–0 EXA–5 EXV–0	TEST VOTE
62	07/24/96	**SR44**			7		Y–44 N–1 P–0 NV–0 EXA–5 EXV–0	AMEND SENATE RULE 40.1
63	07/24/96	**SB26**	2				Y–43 N–0 P–0 NV–2 EXA–5 EXV–0	ADMIN. PROCEDURE CHANGES
64	07/25/96						Y–26 N–24 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
65	07/25/96	**SB45**			0		Y–21 N–24 P–0 NV–2 EXA–3 EXV–0	MODIFY 1996–97 BUDGET
66	07/26/96						Y–39 N–0 P–0 NV–0 EXA–11EXV–0	TEST VOTE
67	07/26/96	**SB46**	2				Y–31 N–0 P–0 NV–5 EXA–14EXV–0	1996 STUDIES
68	07/29/96						Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
69	07/29/96	**SJR47**	2				Y–44 N–0 P–0 NV–1 EXA–5 EXV–0	ENAB/PENALTY/BOMB CRIMES
70	07/30/96						Y–0 N–50 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
71	07/30/96	**SB45**			0		Y–18 N–23 P–1 NV–4 EXA–5 EXV–0	MODIFY 1996–97 BUDGET
72	07/31/96						Y–0 N–50 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
73	07/31/96	**SB48**			0		Y–22 N–21 P–0 NV–2 EXA–5 EXV–0	DISASTER RELIEF FUNDS
74	08/01/96						Y–26 N–24 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
75	08/01/96	**SCB41**				1	Y–43 N–0 P–0 NV–4 EXA–3 EXV–0	NONPARTISAN SUPERIOR COURT ELECTIONS
76	08/01/96	**SCB41**	2				Y–44 N–0 P–0 NV–3 EXA–3 EXV–0	NONPARTISAN SUPERIOR COURT ELECTIONS
77	08/01/96	**HCB30**	2				Y–46 N–0 P–0 NV–1 EXA–3 EXV–0	REFUND FEDERAL RETIREES
78	08/01/96	**HCB18**	2	C	7		Y–45 N–0 P–0 NV–2 EXA–3 EXV–0	TAX REDUCTION ACT OF 1996
79	08/01/96	**SB24**	2				Y–44 N–0 P–0 NV–2 EXA–4 EXV–0	ABERDEEN ANNEXATION
80	08/01/96	**SB29**	2				Y–43 N–0 P–0 NV–3 EXA–4 EXV–0	REIDSVILLE ANNEXATIONS
81	08/01/96	**HCB56**	2				Y–42 N–2 P–0 NV–2 EXA–4 EXV–0	COUNTY SCHOOL ACQUISITIONS
82	08/01/96	**HB36**	2				Y–43 N–0 P–0 NV–3 EXA–4 EXV–0	LINCOLNTON–LINCOLN AIRPORT AUTHORITY
83	08/01/96	**HCB20**	2				Y–44 N–0 P–0 NV–2 EXA–4 EXV–0	WILSON'S MILLS

SEQ#	DATE	BILL	RDG	CR	MOT	AMD	TOTALS	(LEGEND—SEE PAGE 391)
84	08/01/96	**HCB18**	2	C	7		Y–46 N–0 P–0 NV–1 EXA–3 EXV–0	TAX REDUCTION ACT OF 1996
85	08/01/96	**HB36**	2				Y–44 N–0 P–0 NV–2 EXA–4 EXV–0	LINCOLNTON-LINCOLN AIRPORT AUTHORITY
86	08/02/96						Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
87	08/02/96	**SB24**	3				Y–42 N–0 P–0 NV–4 EXA–4 EXV–0	ABERDEEN ANNEXATION
88	08/02/96	**HCB56**	3				Y–38 N–2 P–0 NV–6 EXA–4 EXV–0	COUNTY SCHOOL ACQUISITIONS
89	08/02/96	**HCB18**	3	C	7		Y–42 N–0 P–0 NV–4 EXA–4 EXV–0	TAX REDUCTION ACT OF 1996
90	08/02/96	**SCB6**			8		Y–43 N–0 P–0 NV–3 EXA–4 EXV–0	1996 TAX REFORM ACT
91	08/02/96	**SCB46**			8		Y–9 N–34 P–0 NV–3 EXA–4 EXV–0	1996 STUDIES
92	08/02/96	**HCB61**	2				Y–34 N–0 P–0 NV–10EXA–6 EXV–0	SPEAKER'S APPOINTMENTS
93	08/02/96	**SB29**	3				Y–42 N–0 P–0 NV–4 EXA–4 EXV–0	REIDSVILLE ANNEXATIONS
94	08/02/96	**HCB20**	3				Y–42 N–0 P–0 NV–4 EXA–4 EXV–0	WILSON'S MILLS
95	08/02/96	**HB36**	3				Y–42 N–0 P–0 NV–4 EXA–4 EXV–0	LINCOLNTON-LINCOLN AIRPORT AUTHORITY
96	08/02/96	**HCB56**	3				Y–39 N–2 P–0 NV–5 EXA–4 EXV–0	COUNTY SCHOOL ACQUISITIONS
97	08/02/96	**SCB46**		C	7		Y–33 N–1 P–0 NV–9 EXA–7 EXV–0	1996 STUDIES
98	08/03/96						Y–50 N–0 P–0 NV–0 EXA–0 EXV–0	TEST VOTE
99	08/03/96	**HCB53**		C	7		Y–36 N–0 P–0 NV–7 EXA–7 EXV–0	MODIFY 1996-97 BUDGET
100	08/03/96	**HJR46**	2				Y–34 N–0 P–0 NV–9 EXA–7 EXV–0	ADJOURNMENT *SINE DIE*

ERRATA

The following entries in the Conference Report and the ratified bill for **H.B. 53** (Senate Committee Substitute), a bill to modify the Continuation Budget Operations Appropriations Act of 1995, and the Expansion and Capital Improvements Appropriations Act of 1995, and to make other changes in the budget operation of the State, are reflected differently:

	Conference Report	**Ratified Bill**
S.O.S. and Family Resource Center Grant Programs Administrative Cost Limits	[Sec. 24.22]	[Sec. 27.19]
Multi-County Water Conservation and Infrastructure District	[Sec. 24.22]	[Sec. 24.22]
Indigent Defense Funds (Page D8—47)	$2,842,814 R	$2,779,458 R
Equipment Reserve (Page D8—49)	$2,073,110 NR	$2,071,188 NR
New Assist District Attorneys (Page D8—50)	$2,073,304 R	$2,136,660 R
	$138,703 NR	$140,625 NR
	73.00	75.00
Total Position Changes (Page D9)	146.25	148.25

The following itemizes duplicated section numbers within the same document:

	Conference Report	**Ratified Bill**
S.O.S. and Family Resource Center Grant Programs Administrative Cost Limits	[Sec. 24.22]	
Multi-County Water Conservation and Infrastructure District	[Sec. 24.22]	
Pilot Privatization Project for Construction of Forestry Buildings	[Sec. 27.18]	[Sec. 27.18]
Forest Resources Nursery Program Funds	[Sec. 27.18]	[Sec. 27.18]
Water Resources Development Projects Funds	[Sec. 27.26]	[Sec. 27.26]
Straight Pipe Elimination Amnesty Program	[Sec. 27.26]	[Sec. 27.26]

APPENDIX



NORTH CAROLINA GENERAL ASSEMBLY
SENATORIAL DISTRICTS

(G.S. 120–1)

For a full listing of the Senatorial Districts, see page 423 of the *Senate Journal, Second Session 1996.*

SENATE RESOLUTIONS
1996 SECOND EXTRA SESSION

Adopted July 8, 1996 (See page 7)

S.R. 1, A SENATE SIMPLE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE SECOND EXTRA SESSION 1996 OF THE GENERAL ASSEMBLY.

Adopted July 24, 1996 (See page 52)

S.R. 44, A SENATE SIMPLE RESOLUTION TO AMEND THE SENATE RULES TO ENABLE THE SENATE TO CONSIDER CERTAIN ADMINISTRATIVE LAW MATTERS IN THE SECOND 1996 EXTRA SESSION.

EXECUTIVE ORDERS of the GOVERNOR OF THE STATE OF NORTH CAROLINA

An Executive Order issued by the Office of the Governor of the State of North Carolina received, in compliance with G.S. 147–16.1, by the Senate Principal Clerk following adjournment *sine die* of the 1996 Second Regular Session of the 1995 General Assembly on June 21, 1996, through adjournment *sine die* of the Second Extra Session of the 1995 General Assembly on August 3, 1996, is summarized.

The full text of Executive Order 97 issued by Governor James B. Hunt, Jr., can be found in the *Session Laws of the 1995 General Assembly, Second Extra Session 1996.*

Executive Order	Title	Date of Issuance
97	**Emergency Relief for Damage Caused by Hurricane Bertha**	July 12, 1996

Orders Division of Motor Vehicles to waive weight restrictions on gross weight of vehicles, including utility vehicles, transporting food, supplies, and equipment to hurricane–stricken counties subject to conditions: vehicle weight not to exceed maximum gross vehicle weight set by manufacturer or 90,000 pounds, whichever is less; tandem axle weights not to exceed 42,000 pounds; single axle weights not to exceed 22,000 pounds; vehicle width not to exceed 12 feet and combination length not to exceed 65 feet bumper to bumper; vehicle entering State shall stop at first available station to identify load Hurricane Bertha relief. Exempt from licensing and tax requirements of G.S. 105, Article 36B, and insurance requirements of G.S. 20–382. Returning vehicles shall comply with normal weight/permit restrictions. Vehicles allowed on primary and interstate routes designated by the Department of Transportation. **Effective:** immediately. **Expires:** August 12, 1996.

July 8, 1996 (See page 7)

S.R. 1, A SENATE SIMPLE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE SECOND EXTRA SESSION 1996 OF THE GENERAL ASSEMBLY.

AMENDMENT NO. 2 deleted proposed Rule 43.1 which appears, as follows:

Rule 43.1 second reading.
A bills reported by committee shall be placed before the Senate for second reading and immediate consideration upon passage, unless prohibited by Article II, Section 23 of the Constitution.

AMENDMENT NO. 2 deleted proposed Rule 50 which appears as follows:

Rule 50 Third reading requirements.
When a bill or resolution has passed its second reading, it shall be placed on the calendar for immediate consideration on its third reading, unless prohibited by Article II, Section 23 of the Constitution.

AMENDMENT NO. 3 proposed to delete the portion of Rule 40.1 which appears as follows:

Rule 40.1 Limitation on resolutions and bills.
(2) A bill to reform the existing provisions in the State's tax laws that violate the interstate commerce clause of the United States Constitution.

July 9, 1996 (See page 16)

S.B. 3, A BILL TO INCORPORATE THE TOWN OF PELETIER.

AMENDMENT NO. 1—to revive the Charter of the Town of Wentworth, held by the Chair not to be germane.

Upon the ruling of the Chair:
By Senator East:
"Mr. President, pursuant to Rule 10, I'd like to appeal the ruling of the Chair and ask for the 'ayes' and 'noes,' please."

By Lieutenant Governor Wicker:
"Well, the Senator is certainly within his right to appeal the ruling of the Chair. The question before the Senate is shall the ruling of the Chair be sustained by the Body."

By Senator Winner:
"...I'm not clear whether it's you're saying that the ruling of the Chair is correct you should vote yes, or you should vote no. Is yes to say the Chair was correct, or is yes to say the appeal is correct?"

By Lieutenant Governor Wicker:
"The Chair would interpret the yes vote to mean that the Body sustains the ruling of the Chair."

By Senator Winner:

"So yes to sustain."

Lieutenant Governor Wicker:

"Supports the Chair—and he's asked for the 'ayes' and 'noes.' Is that ruling sustained? (Members stand) Chair rules that that's enough. Now, those in favor of sustaining the ruling of the Chair will vote 'aye,' those who do not support the sustaining—the ruling of the Chair—will vote 'no'; five seconds will be allowed for the voting. The Clerk will record the vote. (It's a clear cut case.) 26 having voted in the affirmative, 23 in the negative.

July 25, 1996 (See page 55)

By Senator Rand:

"Mr. President and ladies and gentlemen of the Senate, it is my privilege today to introduce to you Speaker Uosukainen of the Finnish Parliament. The Finnish Parliament is composed of two hundred members. It's a unicameral legislature, so they don't have the problems that we do. But we are delighted to have her here. She is on a tour of the United States. She says she's not going to Atlanta because that's where everybody else is. So she is going to see the rest of our Country. So we're so pleased to have her here today. She's the first lady to be a Speaker of the Finnish Parliament. She has been in Parliament since 1983. They have four-year terms too; I'll just throw that out to you all for what it's worth. Thank you so much."

By the Honorable Riita Uosukainen, Speaker of Parliament of Finland:

"Thank you. Thank you. Mr. President, ladies and gentlemen, it is honor for me and big, big joy to stand now here and speak as the Speaker of the Parliament of Finland. Our Parliament is older than Finland, and also our constitution law. I have seen that you with your friends here in the USA, oh, give big value to your Constitution law. So do we because of it functions very well.

"But by the way, you ladies, it is also that in Finland we women got in first, as the first ladies in the world, the possibility to be, to vote and be voted. We were also candidates. We got just the same time the men, the suffrage and all rights, political rights, democratic rights to be candidates and to vote also. But, I think we are used in it during my six years we have done it. My hope in the least as the first female Speaker in Finland is that this item is not the biggest one because we must know it's as human beings, not as cocks and hens. And when we work together it's the most important things we must honor each other. The most important thing between people also is to give honor and value to everybody. It doesn't depend on sex, gender you say here in USA, I have noticed.

"Dear friends, when I am now here as a Finnish person I am very happy to say that it is really nice to see how much we have together with American people. The people in USA, just like we in Finland, have same values. We believe on God and we believe on work, and we believe on human rights, and we have clear histories behind us.

"We've, I, I always have such a short military revue also. For example, very many cannot remember that we in Finland, that are in the Second World War; Finland and England and Helsinki and London were the only ones on Western side which were not occupied by those countries which were involved in the War. And that makes our history very clear so that now when we are members in

European Union. Also there I always have that feeling that we have bigger influence than we are because we are very small country, very few people, five million people, but this educational level we have got after the War and also development otherwise, we have gone long way in the information society. They call Finland most American country in the Europe. I do not know, I haven't compared everything, but in that mind that we have, for example, computers as the second one after you, USA. So it tells you something about those principles we have.

"I have had today already two appointments. I am here privately. It was really wonderful, wonderful honor to be also here and see your beautiful faces here all around because all you are smiling and honest. And so I think it's very important to be here and tell the best regards from Finnish Parliament. We really have anniversary, ninety years anniversary of our constitution law just this year and our Country's independence is 1917, but we started the government since 1906. And, by the way, we had already then from those two hundred members, nineteen women. Now we have sixty–eight. But think now in the first beginning how clever our men are because all alone we cannot be anything, neither men or women, but together we have everything. As people in the world, we come together, everything, but alone, very little.

"I thank you for this honor. I am ready to have very many views. I was one week in Washington. I see democracy is here very, in fine condition, but you, dear friends, have in your world have bigger difficulties than we. What I mean? I mean, that for example, in Washington people, they have much more difficult to work straight ahead with people, have straight contacts. You have so wonderful but very, very big amount of people and your constituencies are so big. You have very working staff, I have seen, but also you self, I speak now about Senators and Congressmen in Washington, I met very many there and also I met the First Lady, also in Finland.

"I am from, my party is National Coalition Party which is some, but I am dynamic, radical, liberal, conservative, you know. My party is also coalition party. We really it depends on item, you see, but it is conservative party. So that you know also that. But, Speaker of Finnish Parliament is very much above the parties. I must, as the one gentleman said here, you must make everybody happy in the Parliament. I must because I must serve everybody, I do not have right to vote. The numbers in our elections in the Parliament always are 199. I am like spirit there, I am not counted. I do not have either chair there down because it tells that our Speaker is not involved in party politics. It must be, but I do not give away my party book, membership book, of course, but I must always think that I must be very objective. It is different, that's the point I told it, I saw it was very different in Washington and in Helsinki we see.

"But, now dear friend, I take too much of your time. I am happy to be here. I was very satisfied in Washington, in New York wonderful; wonderful art, wonderful concert, for example in Central Park. And they had their Fifth Symphony of Cybernius, our compositer. We were sitting there at picnic and thousands and thousands of people. New York gave the best me. Thank you, thank you. And then now I am in Raleigh, and then San Francisco, then Santa Fe, and Albuquerque, then Kansas City, and in Michigan, Marquette, and Hancock, New York and home. That's my life today. Thank you for listening, you are wonderful people. And all the best to you, your Senate and, of course, the whole USA. Of course, also, North Carolina. Thank you."

The Senate responds with applause.

The Chair recognizes Senator Warren who rises and offers comments, as follows:

By Senator Warren:

"I appreciate her being here today. I just want to say that—something about Finland. I work with the Heart Disease and Stroke Commission Task Force in this State. Finland sent us one of the best you have in your chronic disease program, Dr. Peska Pushka, last month to speak to the North Carolina Task Force on Heart Disease and Strokes. Did an outstanding job, and we're so proud he could be here. And he told us two or three important things about Finland. You know this already, but these people don't know this. Finland has the lowest heart disease rate in the world. And we asked why does Finland have the lowest rate of heart disease in the world? He said four things: one was lifestyle; diet; exercise; and the last thing he mentioned was tobacco. And I thought he had it prioritized just right, in this State. But I just wanted you to know he was—did an outstanding job—from Finland. And we're so happy he could be with us, and appreciate what you're doing in that Country on this particular issue."

By Lieutenant Governor Wicker:

"Madam Speaker, also on behalf of the Senate, we want to present you with a North Carolina State Flag. We think that we have the most beautiful flag in the Country and indeed the world, as you can imagine. And we wanted you to have that as one of your memorials of your visit here to our State.

"I want you to know that I have listened very carefully to you when you described your duties as Speaker. And you and I have a lot more in common than you might know. But, I would, also, want to present to you a copy of the Senate Rules. We would hope that you would review these Rules, and if you adopt any of them in your Parliament, we would like to know which ones you did. (Laughter) Good luck and Godspeed."

By Speaker Uosukainen:

"Thank you, very much, thank you, Senator. Thank you. And the flag is always the highest and best thing I can get or give. And now when I get your, your wonderful flag, I thank you very heartily. Thank you, very much." (Applause)

July 30, 1996 (See page 61)

The President of the Senate extends courtesies of the floor to Dr. Wiliam Hedrick from Raleigh, who is serving the Senate as Doctor of the Day *in absentia.*

SENATE COMMITTEE ASSIGNMENTS
1996 SECOND EXTRA SESSION

COMMITTEE	STANDING MEETING TIME/ROOM

APPROPRIATIONS: **Tues/Wed/Thurs—Rm 643—8:30 AM**

Co–Chairmen: Senator Perdue
Senator Plyler

Vice–Chairmen: Senator Blackmon
Senator Conder
Senator Kincaid
Senator Rand
Senator Simpson
Senator Webster

Members: Senators Albertson, Ballance, Ballantine, Carpenter, Clark, Cochrane, Dannelly, Davis, East, Edwards, Forrester, Gulley, Hobbs, Horton, Hoyle, Jordan, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McKoy, Odom, Parnell, Plexico, Smith, Speed, Warren, and Winner

BASE BUDGET: **Tues/Wed/Thurs—Rm 643—8:30 AM**

Chairman: Senator Odom

Vice–Chairmen: Senator Blackmon
Senator Conder
Senator Kincaid
Senator Rand
Senator Simpson
Senator Webster

Members: Senators Albertson, Ballance, Ballantine, Carpenter, Clark, Cochrane, Dannelly, Davis, East, Edwards, Forrester, Gulley, Hobbs, Horton, Hoyle, Jordan, Ledbetter, Little, Lucas, Martin of Pitt, Martin of Guilford, McKoy, Parnell, Perdue, Plyler, Plexico, Smith, Speed, Warren, and Winner

FINANCE: **Tues/Wed/Thurs—Rm 544—12:00 Noon**

Co–Chairmen: Senator Kerr
Senator Sherron

Vice–Chairmen: Senator Cooper
Senator Shaw
Senator Soles

Ranking Minority: Senator Allran

Members: Senators Albertson, Blackmon, Blust, Carrington, Conder, Dannelly, Edwards, Foxx, Hartsell, Hobbs, Hoyle, Little, Lucas, McDaniel, Page, Parnell, Rand, Smith, Speed, and Webster

LOCAL GOVERNMENT AND REGIONAL AFFAIRS:
Wednesday—Rm 1124—11:00 AM

Chairman:	Senator Jordan
Vice–Chairman:	Senator Martin of Pitt
Ranking Minority:	Senator Shaw
Members:	Senators Albertson, Ballance, Carrington, Conder, Davis, Hartsell, Ledbetter, and Soles

PENSIONS AND RETIREMENT/
INSURANCE/STATE PERSONNEL: **Wednesday—Rm 1124—10:00 AM**

Co–Chairmen:	Senator Conder
	Senator Soles
Vice–Chairmen:	Senator Kincaid
	Senator Martin of Pitt
	Senator Parnell
Ranking Minority:	Senator Shaw
Members:	Senators Carpenter, Edwards, McDaniel, McKoy, Odom, Plyler, Sherron, Smith, Speed, and Webster

RULES AND OPERATION OF THE SENATE: **Upon Call of Chairman**

Chairman:	Senator Rand
Vice–Chairmen:	Senator Gulley
	Senator Simpson
Ranking Minority:	Senator Hartsell
Members:	Senators Cooper, Horton, Jordan, Ledbetter, Little, Plexico, Plyler, and Soles

SENATE STAFF

OFFICE OF THE PRESIDENT

Lieutenant Governor	Dennis A. Wicker
Chief of Staff	William M. Teague
Director of Communications	Robert D. Phillips
Special Assistants	
Boards and Commissions	Shirley Fowler
Constituent Affairs	Maggie Pollock
Legislative and Policy Advisor	Davis Bradshaw
Administrative Assistants	Greta L. Rogers
	Kathryn Wilson
Executive Secretary	Camille Vaughan
Scheduler	Rhonda Currier

OFFICE OF THE PRESIDENT *PRO TEMPORE*

President *Pro Tempore*	Marc Basnight
General Counsel/Liaison	Norma Ware
Communications Director	Bret Kinsella
Executive Assistant	Angela Talton
Citizen Affairs	Andrea Gardner
Receptionist	Sandy Tingle
Research Assistant	Rolf Blizzard
Page Coordinator	Dot Holbrook
Page Supervisor	Tonita Stephenson

OFFICE OF THE DEPUTY PRESIDENT *PRO TEMPORE*

Deputy President *Pro Tempore*	R. C. Soles, Jr.
Administrative Assistants	Janet P. Blalock
	Joan Leatherman

OFFICE OF THE PRINCIPAL CLERK

Principal Clerk	Sylvia Morris Fink
Administrative Assistants	June Simpkins Bennett
	Mona R. Fitzgerald
Calendar Clerk	Linda Stephenson
Assistant Calendar Clerks	Gloria Coe
	Emma C. Farrow
	Eryn M. Gee
	Doris H. Gilbert
	Nicole B. McLamb
Journal Clerk	Elizabeth L. Thompson
Assistant Journal Clerks	Beverly H. Allen
	Betty Morris Bridger
	Amy Honeycutt
	Bryan Pruitt

READING CLERK LeRoy Clark, Jr.

OFFICE OF THE SERGEANT–AT–ARMS

Sergeant–at–Arms	Cecil Goins
Deputy Sergeant–at–Arms	Royster Baker
Secretary	Martha Dunn
Assistants	
Caroline Barbee	Jack Mueller
Andrew Brock	Garrett Perdue
Collis Brown	Mary Perry
Dave Cauble	Hubert Poole
Fallis O. Finch	Phil Riley
Jimmy Hight	George Robinson
Archie McMillan	Leslie Wright

CHAPLAIN Mike Morris

SECRETARIES/COMMITTEE CLERKS

Supervisor		Janet Pruitt
Name	Senator	Clerk of Committee
Allen, Doris	Parnell	Commerce
Avent, Irma	Ballance	Majority Whip; Appropriations on Justice and Public Safety
Bagley, Jane (Dee)	Smith	
Banko, Pat		Office of Supervisor – substitute
Batchelor, Jerry		Office of Supervisor – substitute
Beddingfield, Kristy	Odom	Base Budget
Birdsong, Julia	Albertson	Agriculture/Environment/ Natural Resources
Blalock, Janet	Soles	Deputy President *Pro Tempore*; Pensions and Retirement/ Insurance/State Personnel
Britt, Judy	Sherron	Finance
Burleson, Teila		Office of Supervisor – substitute
Caldwell, Wilma	Warren	Appropriations on General Government
Canady, Anne	Perdue	Appropriations
Carpenter, Helen	Carpenter	
Carter, Lucille	Horton	
Costello, Evelyn	Rand	Rules and Operation of the Senate
David–Yerumo, Bernie	Lucas	Children and Human Resources
Davis, Kathy	Carrington	
Drew, Frances	Speed	Transportation
Dunnigan, Soraya	Edwards	Ways and Means
Eldridge, Barbara	Page	
Franklin, Tara	Plyler	Appropriations
Gooden, Carolyn	Martin of Pitt	Appropriations on Natural and Economic Resources
Halifax, Peggy	Ledbetter	
Hartsell, Evelyn	Kerr	Finance
Haywood, Gloria	Jordan	Local Government and Regional Affairs
Hodge, Dee	Dannelly	

Secretaries/Committee Clerks (Continued)

Name	Senator	Clerk of Committee
Hogan, Peggy Anne	Ballantine	
Holbrook, Dot		Office of Supervisor
Holt, Gerald	Winner	Appropriations on Education/Higher Education; Education/Higher Education
House, Pat	Hobbs	
Jacobi, Marianne	Forrester	
Johnson, Gerry	Hartsell	
Jordan, Martha	Simpson	
Kay, Wanda	Martin of Guilford	Appropriations on Human Resources
King, Margaret	Allran	Minority Whip
Leatherman, Joan	Soles	Deputy President *Pro Tempore*; Pensions and Retirement/ Insurance/State Personnel
Lefort, Terry	Blackmon	
LeGrande, Beth	Plexico	Appropriations on Education/Higher Education; Education/Higher Education
Lovelace, Meredith	Sherron	Finance
McKoy, Marcia	McKoy	
Misner, Pat	Plyler	Appropriations
Moore, Susan	Cooper	Judiciary I/Constitution
Murphy, Sarah	McDaniel	
Nickerson, Janet		Office of Supervisor – substitute
Parrish, Claudette		Office of Supervisor
Parson, Carey	Cochrane	Minority Leader
Porter, Phyllis	Kincaid	
Pulley, Nancy	East	
Resar, Carol	Gulley	Judiciary II/Election Laws
Resar, Katie	Kerr	Finance
Shaw, Linda	Shaw	
Simmons, David	Foxx	
Smith, Suzanne	Clark	
Spears, Vickie	Perdue	Appropriations
Stoddard, Betty	Little	
Stowe, Rosemary		Office of Supervisor – substitute
Taylor, Mary Lee	Blust	
Thompson, Lucille	Conder	Majority Leader; Pensions and Retirement/ Insurance/State Personnel
Walker, Carole	Davis	
Waugaman, Dorothy	Odom	Base Budget
Webster, LeGrand	Webster	
Williams, Penny	Hoyle	Appropriations on Department of Transportation
Willis, Judy		Office of Supervisor – substitute

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LEGEND

The following abbreviations reflect the final action on each measure and are applicable in the Numerical and Alphabetical Indexes.

SENATE

STANDING COMMITTEES

Agriculture/Environment/Natural Resources	Ag/Envir/NatRes
Appropriations	Appr
Department of Transportation	Appr/DOT
Education/Higher Education	Appr/Ed/HighEd
General Government	Appr/GenGov
Human Resources	Appr/HumRes
Justice and Public Safety	Appr/Jus&PS
Natural and Economic Resources	Appr/N&ER
Base Budget Base Budget	
Children and Human Resources	Ch&HumRes
Commerce	Commerce
Education/Higher Education	Ed/HighEd
Finance	Fin
Judiciary I/Constitution	J1/Const
Judiciary II/Election Laws	J2/ElecLaws
Local Government and Regional Affairs	LocGov
Pensions and Retirement/Insurance/State Personnel	Pens&Ret/Ins/StPers
Rules and Operation of the Senate	Rules
Transportation	Transp
Ways and Means	W&M

FINAL ACTIONS

Addendum to bill page number	/A–
Adopted	adopted
Appointed	Appt
Calendar	
Senate	Calendar
House	H Cal 36(a)
Conference Committee	Conf Com
Conference Report	Conf Rpt
Postponed Indefinitely	ppi
Reading	rdg
Re–referred	reref
Recommitted	recommit
Session Law Chapter Number	Ch.

HOUSE OF REPRESENTATIVES

STANDING COMMITTEES

Agriculture	H Agric
Appropriations	H Appr
Business and Labor	H Bus&Lbr
Education	H Educ
Ethics	H Ethics
Finance	H Fin
Financial Institutions	H FinInst
Health and Environment	H Hlth&Env
Insurance	H Ins
Judiciary I	H J1
Judiciary II	H J2
Local & Regional Government I	H LocGov1
Local & Regional Government II	H LocGov2
Pension and Retirement	H Pens&Ret
Public Employees	H PubEmp
Public Utilities	H PubUtil
Rules, Calendar, and Operations of the House	H Rules
State Government	H StGov
Transportation	H Transp
Ways and Means	H W&M
Welfare Reform and Human Resources	H Wel&HumRes

NUMERICAL INDEX

SENATE

The identical bill number, when applicable, and the final action on each measure are noted following the title. When ratified, the Chapter Number of the Session Laws is reflected. A legend of the abbreviated terms in parenthesis appears on page 413.

Note: Certain bills not ratified are included by reference or identifiable with omnibus legislation. A listing of omnibus legislation is found in the Alphabetical Index under the heading **Omnibus**.

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S 3 Peletier Incorporated (H 14)(Ch. 1) ..... 10, 13, 15, 16, 20, 35, 401.
S 4 Soft Drink Tax on Milk Drinks (H 22)(reref Appr Com) ..... 11, 14, 19.
S 5 Quality Jobs and Business Expansion (H 75)(H Rules/see H 18) ..... 11, 14, 16, 19, 20.
S 6 1996 Tax Reform Act (Ch. 14/see S 22) .... 11, 14, 19, 22, 28, 58, 102, 107.
S 7 Modify State Ports Tax Incentive (reref Appr Com) ..... 11, 14.
S 8 1996 Tax Relief Act (reref Appr Com/see H 18) ..... 11, 14, 19.
S 9 Convey Old Maple Hill School (Ch. 16) ..... 12, 96, 108.
S 10 NC Housing Trust Funds (Appr Com) ..... 12.
S 11 Kure Beach Renourishment Funds (H 10)(Appr Com) ..... 13.
S 12 ECU Stadium Expansion Funds (H 9)(Appr Com) ..... 13.
S 13 Economic Incentives Funds (Fin Com) ..... 17.
S 14 Reduce Corporate Income Tax (Fin Com/see H 18) ..... 17.
S 15 Study NC Role in Global Affairs/LRC (Appr Com) ..... 17.
S 16 Bundled Transactions Sales Tax (Fin Com) ..... 17.
S 17 Iredell–Mooresville School Boundaries (H 5)(LocGov Com) ..... 17.
S 18 No Sales Tax on Donated Items (Fin Com) ..... 17.
S 19 Refund Federal Retirees (H 30)(Fin Com/see H 18) ..... 17.
S 20 Repeal State Food Tax (Fin Com/see H 18) ..... 18.
S 21 Repeal Inheritance Tax (Fin Com/see H 18 [Sec. 7.8]) ..... 18.
S 22 Repeal Privilege License Taxes (Fin Com/see S 6) ..... 18.
S 23 Inheritance and Gift Tax Changes (Fin Com/see H 18 [Sec. 7.1–8]) ..... 18.
S 24 Aberdeen Annexation (Moore)(H Rules) ..... 19, 96, 100.
S 25 ECU Science Building Funds (Appr Com) ..... 19.
S 26 Administrative Procedures Technical Changes (H Rules) ..... 22, 46, 48, 49, 54.
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—District 42—Senator Robert C. Carpenter
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—Senator J. K. Sherron, Jr.
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